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SEVENTH REPORT OF THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT concerning the implementation of the White Paper on the completion of the Internal Market

The First through the Seventh Reports (1986-1992) were published as *Report of the Commission ... concerning the implementation of the White Paper on completing [completion of] the Internal Market*. The title of the 1993 report is *The Community Internal Market*. The 1994 and 1995 reports are titled *The Single Market*. The annexes to the 1994 and 1995 reports were published as *State of Community law concerning the internal market* and are on AEI-EU as separate documents. The series ends with the 1995 report.

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INTRODUCTION

1. The Community institutions and the Member States have been striving since June 1985 to implement a legislative programme designed to complete an area without internal frontiers; this programme, which was published as part of a White Paper¹, provides a yardstick against which to measure progress towards completion of that area in accordance with the Single European Act and, in particular, Article 8a of the Treaty. The Council and Parliament have had before them since mid-1990 all the proposals envisaged in the programme, so as to permit the final legislation to be adopted in time for it to be implemented by the Member States by 31 December 1992. The European Council's continuing support has maintained political pressure on the Council and the Member States and has, to a large extent, contributed greatly to the results achieved so far: it is fair to say that, in view of the decisions already in force, the economic framework for the single market is now in place, with people, goods, capital and services able to move around freely either on the basis of harmonized or common rules or on the basis of mutual recognition. In particular, the operational rules for the customs union are in place: no customs documentation will accompany Community goods moving inside the Community or released for free circulation in a Member State.
2. The changes generated by the overall number of rules adopted so far in the areas of technical harmonisation, the free provision of services and the opening-up of public procurement markets have permitted a fundamental modernisation of the environment for companies favourable to their competitiveness on the European and overseas markets and also for the promotion of the creation of jobs and the development of investments.
3. Taking these elements into account, it is therefore important to bring the effort embarked upon 7 years ago to a successful conclusion by completing the work; with regard to the competitiveness of firms, this effort is necessary particularly in the areas concerning the European company statute and industrial property. The abolition of border controls has made apparent the necessity for specific accompanying proposals to ensure the free circulation of persons and goods; these proposals must be adopted and implemented by the end of the year, in order to permit the abolition of border controls under favourable conditions. It is through the abolition of border controls that the dynamism of economic and political integration in the Community will be ensured.
4. This is the last annual report presented by the Commission since the publication of the White Paper with a view to ensuring full transparency of the legislative process and the implementation of the rules brought in. Like the two preceding reports, this report takes stock not only of the Council decisions but also of the implementation of those decisions, whether by the Community itself or by the Member States. These general reports have been supplemented by three specific communications on the abolition of frontier controls, the aim being to focus work priorities on this goal; among other things, the Commission has sent to the Council and to Parliament its interpretation of Article 8a² and the implications this has for the remaining frontier controls.
5. These annual reports are in addition to the reports which the Commission was required to produce under Article 8b at the end of 1988 and 1990. The present report does not affect its undertaking to submit to the European Council meeting in Edinburgh (11-12 December 1992) a political communication so that the Internal Market Council will be in a position to take the last remaining decisions before the

1 COM (85) 310

2 SEC (92) 877

end of the year. It does, however, highlight a number of points with only a few months to go before the 31 December 1992 deadline. The Commission will also inform the Council and Parliament of its priorities and lines of action regarding the manner in which the internal market should be administered as from 1993, in particular in the light of the findings of the high-level think tank chaired by Mr Sutherland and which is invested with a study objective in this area. The group is undertaking its work on the basis of terms of reference inviting it to examine the efficiency of the current work methods and conditions for ensuring confidence between the national legislative and administrative systems. The priorities and lines of action envisaged by the Commission will have to be fully in keeping with the principle of subsidiarity as established in Article 3b of the Maastricht Treaty and will have to be consistent with the detailed arrangements for implementing that principle to be adopted by the Commission and presented to the Council and Parliament.

6. Although this report is confined strictly to the White Paper, it should be borne in mind that the process of completing the single market cannot be dissociated from the other five objectives of the Single European Act: economic and social cohesion, social policy, the environment, research policy and the strengthening of economic and monetary cooperation.

PART I: THE OVERALL PICTURE

I. GENERAL PROGRESS

7. The task of completing the single market can be compared to the building of a house, with the different teams of workers having to follow the plan set out in the White Paper. It is important that the various parts of the building should be constructed in a coherent manner, with each part having its role to play in the overall design. Now, while the shell of the building has been completed and decorative work carried out, it is still difficult to move around the house since the finishing work still has to be undertaken. Clearly, any house in which the occupants and their guests cannot lead a normal life will remain inhospitable and will soon be abandoned. The Council should, therefore, as a matter of urgency, complete its work so that the building of the internal market can progress beyond the stage where public opinion in the Community and in neighbouring countries in Europe would remain disillusioned.

8. Admittedly, the pace of work has speeded up since just under 90% of the White Paper has been implemented, compared with 75% a year ago, after progress had slackened in the course of 1991 mainly on account of the proposals that were before Parliament and the difficulties encountered in certain areas such as the opening-up of public procurement in the services sector, the mutual recognition of diplomas, the finalization of certain technical harmonization measures, transport and insurance services.

9. In certain areas the objectives have not yet been fully achieved, despite the significant progress already made:

removal of frontier controls: in spite of clear progress in doing away with customs and tax formalities or certain health controls, national administrative measures are needed to ensure that crossing a frontier no longer gives rise to controls. The legislative framework in place and the cooperation between the police authorities, the immigration authorities and the authorities responsible for the fight against drugs is permitting the reorganization of existing administrative structures at frontiers so as to comply with Article 8a.

The Commission has adopted a clear position on the scope of article 8a and has moreover continually emphasised to the Council and to Parliament the political dimension of this provision; it is, in this context, regrettable that with less than four months to go to the deadline, there is nothing to guarantee the entry into force of the intergovernmental conventions which will ensure that the abolition of frontier controls can take place in satisfactory conditions;

- indirect taxation: considerable progress has been made with the adoption of the transitional arrangements for VAT without frontier controls, the new arrangements for the movement of products subject to excise duty, and the machinery for administrative cooperation. With regard to the measures for the approximation of VAT and excise duty rates as well as excise duty structures - with the exception of the proposal concerning the structure of excises on tobacco which was already adopted in March - an almost unanimous agreement was reached in the Ecofin Council of 27 July. The points still outstanding have to be settled before the end of September;
 - industrial property: although the measures to harmonize national legislation are progressing satisfactorily and in the direction of improved protection for holders of the corresponding rights, on the other hand, decisions are still awaited concerning the creation of a Community patent and a trade mark, and in establishing a Community right for new plant varieties;
 - abolition of double taxation on firms: since the decisions taken in 1990 regarding relations between parent companies and subsidiaries, the fiscal treatment of mergers, hive-offs, raising of capital and share exchanges, as well as the convention on arbitration, work is in progress in the Ecofin Council on proposals concerning the taking into account of foreign losses and the abolition of withholding at source on interest and royalty payments. These proposals could be adopted by the ECOFIN Council as soon as October;
 - company law: the only progress has been on the European Company Statute although it is not possible at the moment to predict successful completion of the work, an outcome awaited by firms in Europe.
10. This situation can be attributed to opposing positions which have arisen in the Council. Thus:
- France and Germany are opposed to the definitive introduction of cabotage for road transport, which, in their view, is linked to the problems of taxation in the transport field;
 - the opposing positions of Germany and the United Kingdom are hindering progress on the European Company Statute;
 - Spain is opposed to the entry into force of the Convention on the Community patent in fewer than twelve Member States;
 - no Member State is prepared to accept a decision on the location of the Trade Mark Office, in isolation from decisions on the location of other Community bodies;
 - although a great deal of headway has been made, agreement has not been reached on arrangements for protecting cultural objects because two groups of Member States are refusing to compromise on the time limitation for

proceedings to secure the return of objects unlawfully sent to another Member State;

- the reservations maintained by France, Spain and United Kingdom have so far prevented overall agreement being reached on the package of proposals for approximating VAT and excise duty rates;
- the disagreement between Spain and the United Kingdom concerning the treatment of Gibraltar is holding up signature of the Convention on external frontiers.

11. Regardless of the progress made in completing the single market, the responsibility for its management is shared between the Community and the Member States:

- the Commission is responsible for monitoring compliance with Community obligations; it is important that all Member States should have the assurance that each of them is taking all the necessary steps to implement Community rules. This transparency of transposition measures, the meetings held with the Member States to review the situation and the systematic initiation of infringement proceedings have done a great deal to speed up the rate of transposition. It is true that the rate tends to fall whenever new legislation enters into force. In August 1992 it stood at 75 %, compared with the record rate of 78 % reached at the end of June 1992. However, if we compare the current transposition of the directives entered into force as at June 1991, the rate of transposition has gone from 73 % to 89 %, and the number of directives transposed in all Member States has risen from 37 to 68. The Commission has often been accused of taking an interest only in the formal transposition of legislation and not in the quality of transposition measures; however, the number of proceedings initiated for faulty or only partial transposition belies this criticism;
- the Commission must also contribute to correct implementation of laws adopted, firstly by making them easier to read and interpret through consolidation measures and the production of guides and, secondly, by helping to establish the infrastructures necessary to administer those laws. Administrative structures need to be adapted if the rules are to be properly applied and if firms and the economic environment are to benefit from Community rules: together with infrastructures, the effectiveness of administrative structures determines the competitiveness of regional and national economies;
- however, irrespective of the financial and administrative support provided by the Community, it is for the Member States to ensure that the rules are applied. They must administer the management and supervisory infrastructures but must also provide correct information on progress in the different areas. It is the Member States first and foremost that must provide training and information for firms and individuals in order to make it easier for them to carry out the necessary adjustments; and yet, in practice, this information effort has been found wanting either because of internal adjustment difficulties or because, in too many cases, Community rules are regarded as foreign rules falling outside their field of competence. As a result, the Commission has all too often to take the place of the Member States but is unable, for want of information, to build into its communication efforts the actual circumstances at national or local level;
- and so the prime responsibility for administering the single market rests with national and local administrations, which must apply Community rules and

which, thus, find themselves in daily contact with economic agents. They must make a major effort to provide information on, and to explain, Community rules especially since such rules often introduce new concepts and new procedures. It is because this effort is not forthcoming that the criticisms of the Community and the misunderstandings damaging not only to the Community itself but also to the Member States involved in the construction process feed off one another. The Commission cannot make good these shortcomings, nor can it force its assistance on the Member States. At most, it can provide them with the necessary information tools.

12. The forthcoming entry into force of the Agreement creating the European Economic Area has given a new geographical and institutional dimension to the task of administering the rules governing the functioning of the single market. Although the EFTA pillar will have to monitor compliance by the different EFTA member countries with the rules arising out of the Agreement, the fact that these countries will have to observe the vast majority of the single market rules faces the Community Member States with new problems in managing the rules in a way which safeguards the autonomy of Community law while having due regard for the rights and obligations deriving from the Agreement. These problems will have to be tackled in a concerted manner in order to avoid differences of interpretation that would be detrimental to application of the Agreement and to ensure that the rules are fully transparent to economic operators. Machinery has thus been set up for information and consultation between the European Community and EFTA to facilitate decision-making within the EEA Joint Committee.

II. THE GENERAL SITUATION

The Commission

13. The Commission has presented all the proposals arising from the White Paper; the emphasis of its workload has now shifted from legislative activity to the administration of the single market as regards both the application of laws adopted and the adoption of implementing measures. To perform this function, the Commission departments require a technical capacity of their own in order to take account, when implementing Community rules, of the requirements associated with the protection of health and safety. The removal of physical controls at intra-Community frontiers will present the Commission with a new challenge since it increases the need for measures common to all Member States; hence the presentation of proposals which had not been envisaged but have been requested by the Member States such as those concerning controls on the exportation of dual-use products or cultural goods, and controls on the transport of explosives or radioactive substances. The Commission should thus be in a position to see that the single market functions satisfactorily.

14. The Community has the responsibility to guarantee the effectiveness of free circulation. It must take any necessary measures to avoid disturbances prejudicial to the protection of health or which would lead to the refragmentation of the market. But, in its action, the Commission has to remain guided by the principle of subsidiarity. The basic approach of the Commission is to limit its initiatives to what is strictly necessary for the protection of essential interests. This principle is manifested in the work methods which give priority to the mutual recognition of national rules. Examples of this approach can be found in numerous provisions such as the mutual recognition of diplomas, conformity marks or approval procedures or in the actual text of certain measures concerning the coexistence of traditional national laws. In a large number of cases, Community rules are concerned only with transfers between Member States or with the organization of controls at

external frontiers and do not affect domestic arrangements (waste, cultural objects, explosives). In other cases (e.g. cars), the new directives adopted by the Council allow Member States to pursue their own objectives in relation to environmental protection while guaranteeing free movement by way of guidelines on tax incentives which should allow the entire body of Community rules to move in the same direction.

15. Without anticipating the guidelines it is shortly to adopt - notably in the light of the findings of the think tank chaired by Mr Sutherland on the operation of the internal market after 1992, the Commission sees the need to establish a coherent framework for administering the single market based on structured and permanent working methods:

- it must, first of all, strengthen the machinery for administrative cooperation so as to give Member States the means of averting all the risks that administrative formalities at internal frontiers were supposed to rule out;
- it must possess management machinery capable of exploiting the best scientific resources in the Community in order to guarantee that Community legislation moves in the direction of improved protection for consumers and the environment; this is the purpose of the proposals for the European Agency for the Evaluation of Medicinal Products and the Scientific Committee for Food;
- it must ensure coherent management of the customs union and its external frontiers by effective control structures compatible with international obligations, the disappearance of controls at internal frontiers strengthening solidarity between Member States in the exercise of this shared responsibility;
- it must develop, in cooperation with the Member States, tools for promoting cooperation between national administrations, in particular by creating computer networks for the transmission of data or for consulting central or local databases. Such action will have to be viewed as part of the general trans-European networks operation, notably in order to involve each Member State fully in the setting-up and operation of those networks. Some of the networks, especially those for indirect taxation, customs, and veterinary and plant health controls, will have to be operational in 1993;
- it must develop, in cooperation with the Member States, an overall training policy for the administrations responsible for applying the rules on the single market; this also involves the programmes already in place for the exchange of officials.
- lastly, it must ensure improved transparency of Community rules by simplifying texts and consolidating existing legislation. Specific consolidation proposals are already before the Council and, although progress has been too slow, the "cosmetics" directives have been consolidated and common positions adopted on the customs code and the code for public works contracts. Six other proposals have been sent to the Council, some of them over a year ago, and at the end of the year a database will be available covering the key single market legislation in consolidated form. This must not, however, deflect the Member States from their responsibilities; it is, first and foremost, national transposition rules that traders and individuals apply, and so it is these too that need to be dealt with by Member States in a similar way.

16. These new responsibilities do, of course, have budgetary and administrative implications and can be exercised only in conjunction with the Member States. This is why the Commission will advocate a multiannual approach to administering the single market that establishes management priorities and apportions responsibilities between the Community and the Member States.

The Council

17. The Council's workload under the White Paper programme has diminished considerably. It needs still to adopt only 32 measures, among which the only ones that cannot be adopted by the end of the year, taking account of the state of progress of the work, are: company law (fifth, tenth and thirteenth directives), the relaxing of the conditions for obtaining a residence permit by workers and their families and the application of safeguard clauses in the veterinary field. Above all, the Council must, as a matter of urgency, draw all the inferences from the removal of frontier controls on the basis of the work programme laid down in the Commission's 18 December 1991 communication.³

Looking at the work of the various compositions of the Council, ten proposals are still on the table for the Internal Market Council, fourteen others are chiefly the responsibility of the Ecofin Council, and the Agriculture Council still has to adjust certain operational rules of the CAP and finalize work in the plant health and veterinary sectors.

18. The Commission has withdrawn a number of proposals which are no longer justified mainly as a result of the measures adopted by the Council which integrated the substance of those proposals; at the same time, ongoing work in the areas of public procurement, air transport, financial services, taxation and technical rules has necessitated adjustments that have resulted in additional proposals:

- of the 282 measures proposed in the 1985 White Paper, 6 have been withdrawn including the proposal for easing frontier controls on individuals, which no longer serves any useful purpose given the development of intergovernmental cooperation and the text of Article 8a;
- furthermore, as indicated in Annex II, whether or not 9 of the proposals pending are adopted will not be crucial to the achievement of the White Paper programme. The Commission is not, therefore, insisting on their adoption by the end of the year;
- as a result, the Council still has to take 23 measures, 2 of which are still before Parliament (new plant varieties and protection for biotechnology products).

19. The measures before the Council fall into two very different categories as regards priorities:

- measures linked to the removal of frontier controls: these must be tackled as a matter of urgency and, if necessary, at special meetings of the Council. The deadline of 31 December 1992 is sufficiently important to justify such a major effort. These measures are clearly identifiable: adjustment to the rules of the CAP, the VAT arrangements for gold and passenger transport (for which proposals are to be presented to the Council in September), medical equipment, controls on exports of dual-use products and cultural goods, the transfer of waste and radioactive substances, the transfer of explosives and

drug precursors. With regard to pets, a solution adapted to the functioning and to the deadlines of the internal market must be found;

- measures associated with finalizing the economic framework for the internal market; the priority measures in this category concern the finalisation of work on the approximation of tax rates and on the Community trade mark, the Community patent, the European company statute and the abolition of double taxation (taking into account of losses in other Member States and the system of royalties).

20. As it stated in its communication of 8 May 1992 on the abolition of frontier controls, the Commission, as guardian of the Treaty, will have to ensure that the obligations enshrined in Article 8a are indeed fulfilled and reaffirms its determination to ensure that the work programme stemming from Article 8a is carried out in full.

Parliament

21. Parliament has made a major contribution to the completion of the internal market. The cooperation policy has enabled it to influence the legislation adopted by the Council without disrupting in a fundamental manner the speed of decision-making. Its action, in particular on public procurement, helped to produce a compromise in the Council. However, despite the fact that these proposals were presented to it several years ago, Parliament has yet to give its opinion on protection of biotechnology products and the creation of a Community right for new plant varieties.

22. The Commission welcomes Parliament's decision to set up a Committee on Civil Liberties and Internal Affairs to keep a close watch on progress in intergovernmental discussions on the free movement of individuals.

23. It is now principally through political action that Parliament can ensure continuing progress. It must ensure that priority is given to dealing with outstanding proposals already made and those still necessary in the framework of the abolition of border controls. The Commission has taken note of the declaration adopted by the Enlarged Bureau on 9 July 1992, confirming Parliament's intention to attach priority to the removal of frontier controls in the legislative programme for 1992.

III. HORIZONTAL MEASURES

24. Completion of the single market also depends on the implementation of initiatives and policies to accompany the abolition of border controls and to underpin economic integration.

25. Economic and social cohesion: the completion of the internal market can only be successful if all regions and citizens have a fair chance of benefitting from it. Thus the Single Act provided for:

- the possibility of granting transitional periods in accordance with Article 8c of the Treaty. The Council, in view of the particular problems of adapting the rules and structures in the least-favoured regions notably concerning public procurement and financial services, has applied transitional periods, some of which expire at the end of the year, notably that for the liberalization of capital movements;
- a strengthening of the economic and social cohesion of the Community aiming in particular at reducing disparities between the various regions and

the backwardness of the least-favoured regions. The means to achieve this has been the 1988-reform of the Structural Funds and the doubling of their budgetary resources between 1987 and 1993. The Funds are being successfully applied in particular through the agreed Community Support Frameworks (CSFs), not least in the regions lagging behind (objective 1) which take up about two-thirds of the total Structural Fund's budget of 63 BN ECU (1989 prices). Regions in industrial decline are also receiving support.

26. Within the Structural Funds the Commission has launched a number of Community Initiatives aimed specifically at promoting the single market. The largest is INTERREG with a current budget of over 1 BN ECU. This has as one of its main objectives helping to prepare the Community's internal frontier regions for the abolition of frontier controls and for the resulting structural adaptations. Similarly REGIS (for the most peripheral regions) and PRISMA (business infrastructure and services) were specifically adopted in response to the internal market. A number of other initiatives notably REGEN (energy) and TELEMATIQUE (telecommunications) as well as a significant proportion of the regional CSFs aim to improve the infrastructure required for the internal market to function effectively. STRIDE helps to improve the R and D capacity of weaker regions.

Support from the Structural Funds has also made it possible to combine investment with the better use of human resources throughout the Community through vocational training and job-creation schemes; the improvement in the levels of training throughout the Community, indeed of its human capital, is a necessary condition for the completion of the single market. Many CSFs give priority to the combination of investment and training measures. Likewise the Community initiative EUROFORM which aims at the promotion of new skills, qualifications and job opportunities is directly linked with the completion of the internal market and technological challenges. The emphasis of this action is to contribute to establishing transnational networks for vocational training; in 1991, sectors such as motor vehicles, textiles, clothing, footwear, electrical household appliances and electronics were particularly concerned.

The other human resource initiatives NOW and HORIZON also contain important elements of cross-border exchanges between Member States which promote the internal market.

27. The social dimension: in the past twelve months, the Commission has actively pursued its work of implementing the Community Charter of the Fundamental Social Rights of Workers. It has adopted almost all the initiatives envisaged in that programme; for example, some of the most significant proposals presented this year concern the health and safety of workers, collective dismissals, fair pay, financial participation of workers in companies and the free movement of workers. On 24 June 1992, when it last met to discuss social affairs, the Council adopted 11 pieces of legislation (directives, regulations, recommendations) under the action programme to implement the Charter. Despite these achievements, the Commission considers that progress does not match the expectations generated by the Community Charter.

28. Competition policy: competition policy is becoming increasingly important in the context of the completion of the internal market. The dismantling of internal frontiers may tempt businesses to resort to anti-competitive agreements or practices to protect themselves against increased competition: in the same way, the opening-up of the market highlights the need for improved monitoring of Member States' anti-competitive behaviour, whether through state aid or via the retention of exclusive rights affecting the operation of the Community market.

29. An important phase began with the entry into force in September 1990 of the Merger Control Regulation, which is designed to prevent the creation of dominant positions. This Regulation's first full year of application has shown that the procedures introduced allow effective implementation of the rules on monitoring: in 1991 the Commission examined the effects on competition of sixty operations notified under this Regulation. One planned merger was held to be incompatible with Community rules and a number of projects were authorized only after changes had been made to the notified operation or to the structure of the market.

30. As for exclusive rights granted by Member States to certain enterprises and restricting the free movement of goods, the Court of Justice has confirmed their illegality, except where they are justified by essential requirements. This interpretation has shaped action taken by the Commission, in particular on telecommunications, energy and postal services:

- after adopting two directives abolishing exclusive rights for telecommunications terminal equipment and services other than voice telephony, the Commission published guidelines clarifying the application of the Community's competition rules to operators in this sector and began a review of exclusive rights for voice telephony services. It also plans to extend the 1988 and 1990 directives to the satellite sector;
- as regards energy, infringement proceedings have been started against Member States which grant exclusive import and export rights to domestic enterprises;
- the Green Paper on postal services adopted by the Commission in May 1992 supports the retention of a package of services by national postal administrations in order to ensure that a quality universal service is available to everyone but proposes a series of options to limit the scope of those administrations' exclusive rights;
- lastly, in the financial services and transport sectors, the Commission adopted a series of proposals to facilitate competition while taking account of the specific objectives of the rules governing these sectors, in particular with regard to the solvency of banks and insurance companies and to civil aviation safety.

31. Enterprise policy: the moves to complete the internal market have also lent increasing importance to the Community's enterprise policy, which aims to improve the business environment and promote the development of enterprises, in particular small and medium-sized ones (SMEs). This policy was further strengthened at Maastricht; the revised text of the Treaty dealing with industry (Title XIII) states that the Community and the Member States must encourage an environment favourable to initiative and innovation and to the development of enterprises, particularly SMEs. The Commission is continuing to develop its enterprise policy by removing unnecessary administrative, financial and legal burdens, by providing information and assistance to enterprises, and by encouraging business cooperation and partnership, all of which underpin the efforts of SMEs in an increasingly competitive market place. The Commission is improving the quality and efficiency of services for SMEs, in particular the Euro-Info-Centre network (currently 211 offices throughout the Community) and the Business Cooperation Network (BC-Net), which provides assistance to SMEs contemplating cross-border cooperation as one of their principal options in developing commercial strategies for the internal market. In addition, it is pressing ahead with other projects to help SMEs compete in the internal market, including access to financial markets and to European R&D programmes, help and advice on standards, testing and certification, and measures to enable SMEs to participate in public procurement and subcontracting.

32. Environmental protection: the demands concerning the protection of the environment are a component of other Community policies. It is all the more so in the field of the completion of the internal market, since Article 100A para.3 obliges the Commission to take as a base a high level of protection in its proposals concerning environmental protection. The setting of standards of protection for the environment constitute an advantage for European enterprises which are encouraged to develop efficient and non-polluting technologies which strengthen their competitiveness in international markets. In this context, the continued effort aimed at ensuring the free circulation of goods, without any form of discrimination, and the internal cohesion of the Community will be pursued. In this sense, a large number of measures taken in the internal market field and particularly in the area of technical rules already integrate the environmental protection dimension. In future, legislative measures will still have to be taken at Community level, in particular in the following fields (Fifth Community action programme on the environment, COM(92)23 final):

- fixing of minimum levels of environmental protection;
- commitment by the Community to broaden the scope of its international agreements;
- establishment of common standards and/or common monitoring techniques which might be judged necessary to preserve the integrity of the internal market.

However, Community rules in this field must on no account provide justification for controls at internal frontiers.

33. Trans-European networks: on the basis of its action programme presented in December 1990, the Commission is pressing ahead with its work on developing transport, telecommunications and energy networks at Community level. For businesses and individuals, these networks will represent efficient infrastructures and will thus help to open up peripheral regions and to promote economic cohesion. The Council is currently examining the first set of proposals for the preparation of plans for combined transport, inland waterway, rail and road networks; further network plans will follow for other transport sectors, telecommunications and energy, resulting in a coherent plan for major infrastructures that will guide the investment choices to be made at different decision-making levels. The proposal for a declaration of European interest will provide back-up for this approach by mobilizing private funding. Clearly, the budgetary dimension of this approach has to be seen in the context of the "package" for the financial perspectives in the coming years.

34. Energy: on 21 February 1992 the Commission presented to Council its proposals on completing the internal market for gas and electricity; these proposals are based on opening up the market in three stages:

- the first stage involves implementation of the three directives adopted in 1990 and 1991 on the transit of electricity and gas and on the transparency of prices for consumers. These directives entered into force on 1 July 1991 and 1 January 1992 respectively and have been transposed into national law by almost all the Member States;
- the second stage proposed by the Commission involves further opening-up of these two markets in line with the following objectives:
 - (i) withdrawal of exclusive rights for the generation of electricity and the construction of power lines and gas pipelines so as to increase competition and open up the market to new operators;

- (ii) separation between production management and responsibility, on the one hand, and the transmission and distribution activities of vertically integrated enterprises, on the other hand, so as to guarantee transparency of responsibilities and hence fair and non-discriminatory competition;
 - (iii) introduction of a limited system of access to the grid by third parties (TPA - third-party access) so that transmission and distribution companies are obliged to offer access to their grids to certain defined entities (large industrial consumers whose annual consumption exceeds 100 GWh of electricity or 25 million cubic metres of gas, and distribution companies supplying at least 3% of national electricity consumption and 1% of national gas consumption) at reasonable prices and within the limits of available transmission and distribution capacity; this arrangement will allow consumers to choose freely between potential suppliers;
- the third stage will be the subject of proposals to complete the internal energy market that will take account of progress during the second stage.

As regards the production of hydrocarbons (oil and gas), a proposal for a Directive on the conditions for granting and using authorizations for the prospection, exploration and extraction of hydrocarbons was presented to the Council on 11 May 1992. Its objectives are to ensure equal access for undertakings to oil and gas resources and free movement of these products between Member States. To attain these objectives, the proposal lays down common rules to ensure that authorization procedures are non-discriminatory and transparent. Unless technically and economically justified in the interests of optimum performance, Member States may not impose conditions on the exercise of or access to production activities.

PART II: PROGRESS ON THE WHITE PAPER PROGRAMME

35. Progress in implementing the White Paper is assessed following the White Paper's structure by reference to the decision-making process, the state of application of measures by Member States and of implementation measures by the Commission or possibly the Council.

I. REMOVAL OF PHYSICAL BARRIERS

36. As the Commission has indicated in its previous reports, it is with regard to the removal of physical barriers that the credibility of the objective, namely completion of the internal market as defined in Article 8a of the Treaty, has yet to be fully established:

- while the basic measures for ensuring the abolition of frontier controls on goods have been taken, the implications of these measures have not yet been fully appraised as regards a series of controls which, for administrative ease, are carried out at internal frontiers. Above all, the Member States have yet to take internal measures that will give full effect to the abolition of frontier controls;
- as far as the free movement of persons is concerned, the Commission has to acknowledge that there is nothing to suggest that the agreements on the abolition of controls at internal frontiers will be in force before the end of this year. If decisive progress is not achieved in doing away with border checks on individuals, the Commission will examine all the possible consequences of such a situation and will draw the necessary conclusions in the light of its interpretation of Article 8a of the Treaty.

1. Controls on goods

37. The operational rules for the customs union are in place: no customs documentation will accompany Community goods moving inside the Community or released for free circulation in a Member State. The consequences are twofold: first, consistent management of external frontiers and, second, new arrangements for a number of controls at internal frontiers which will have to be dismantled at the end of the year. Although the rules necessary for the reorganization of animal and plant health controls are in place, other measures have yet to be taken.

38. Customs formalities: all the necessary measures have been taken, viz. the basic measures for the abolition of the single administrative document in intra-Community trade, reorganization of transit arrangements, abolition of baggage checks on flights and sea crossings between Member States, and specific provisions on the fight against counterfeit goods and control of drug precursors. Except for certain particulars to be determined concerning the export of goods, all the implementing measures that will allow businesses and administrations to adapt in time have been taken. Since Article 8a does not affect the transitional arrangements between Spain and Portugal, on the one hand, and the rest of the Community, on the other, until 1995, the transit arrangements and the single administrative document will continue to apply to certain agricultural products, if the Commission's proposals are adopted. In any event, the documentation concerned will no longer justify frontier controls; they will be discharged at the place of destination in accordance with the provisions on transit, without prejudice to spot checks carried out elsewhere.

39. From 1 January 1993 there will have to be fundamental changes at the Community's internal frontiers. In accordance with the Commission's interpretation of Article 8a, the retention of a control infrastructure at the internal

frontiers would be contrary to the principle whereby crossing a frontier will no longer in itself give rise to a control. Controls within national territory will have to be carried out in such a way that there is no discrimination on the basis of the origin of the goods or the mode of transport. However, as the Commission indicated in its communication of 8 May 1992, the abolition of frontier controls will not deprive national authorities of the right to exercise their powers over the whole of their territory, including up to the frontiers of that territory, although this will not justify the permanent presence of personnel and a control infrastructure at the internal frontiers.

40. These fundamental changes will be chiefly the responsibility of the Member States. However, since each Member State is affected by decisions taken by the other Member States, the Commission has organized consultations between the heads of the national customs administrations on staff redeployment. It has also facilitated decision-making at national level by initiatives to help retrain customs agents.

41. Above all, the customs administrations of each Member State must work together in managing the customs union at the Community's external frontiers, i.e. not only at the physical frontier but also at airports and ports. This presupposes uniform application of the common customs rules:

- first, there is a need to draw up clear and transparent rules for administrations and businesses. The Commission has therefore proposed consolidating these rules in a Community customs code which is in the process of being adopted. That has also been the reason for creating databases accessible to all administrations: TARIC, the information system for the common external tariff and non-tariff measures, provides each administration with information on the appropriate customs treatment for a particular product. The central database on binding decisions classifying goods in the customs nomenclature (BTI - Binding Tariff Information) has been in operation since July. These systems are backed up by networks for monitoring products subject to specific customs arrangements (progress was analysed in detail in the communication of 17 June 1992, SEC(92) 1085);
- instruments for administrative cooperation between different customs administrations should also be established, in particular through the development of the computerized system SCENT, which is designed to combat fraud and is already operational between all administrations although a more powerful version will be available from the end of the year. In addition, the CIS (Customs Information System), which is based on SCENT, will offer additional facilities as from October 1993 and will provide all twelve customs administrations with a comprehensive instrument for cooperation in every field relating to management of the external frontiers;
- lastly, consistent interpretation and application of this legislation should be ensured by pursuing an active training policy: this is the purpose of the MATTHAEUS programme, which was adopted on 20 June 1991 and provides for exchanges of officials between administrations, for training seminars and for common training programmes at customs training centres. In the long term, this programme could lead to the creation of a joint training centre to coordinate the activities of customs training centres and to provide advanced training over and above that given at these centres. Before the end of the year the Commission will present a programme similar to the MATTHAEUS programme for training officials from national tax administrations, based on experience gained from a pilot project that has been running since 1991.

42. These activities are designed to help traders by creating an efficient administration which can respond in a consistent fashion, notably when it comes to avoiding risks of trade deflection. In this context, efforts have been made to ensure better use of simplified procedures and, in line with the judgments of the Court of Justice, the Commission itself will have to administer tariff quotas. In the interests of traders and the Community as a whole, the Commission will have to satisfy itself that customs penalties, which are governed by national regulations, do not lead to distortions and are applied irrespective of the destination of the goods in the Community. It is important that Community customs rules do not become an instrument for distorting trade in favour of particular places of importation into, or exportation from, the Community.

43. Veterinary and plant health controls: despite major difficulties at the outset due to factors that were pinpointed by the Commission in its initial reports, there has been clear progress in the veterinary field since more than seventy legal instruments have either been, or are about to be, adopted, with the result that the entire White Paper programme as it affects this sector is now in place (leaving aside the special case of pets). The directives for protecting human and animal health cover:

- harmonization of the conditions of trade in live animals (cattle, pigs, horses, sheep, fish, etc.);
- harmonization of the conditions of trade and marketing of numerous livestock products (meat, meat products, egg products, molluscs and crustaceans, milk products, untreated milk, game meat, etc.);
- establishment of new monitoring arrangements based on the abolition of veterinary, zootechnical and animal welfare controls at frontiers.

44. On this basis, internal frontier controls have been abolished in accordance with the five basic directives introducing the new control arrangements for products and animals which are subject to harmonized health rules or which, in the absence of such rules, remain subject to national arrangements. Where harmonized rules exist, the Member State of origin must ensure compliance with them. Commission veterinary inspections provide all Member States with the necessary guarantees. Where there are no harmonized rules the Member State of origin must ensure compliance with the rules of the Member State of destination. The "ANIMO" computerized network will, for trade in live animals, allow the Member State of origin to notify the Member State of destination of the arrival of the animals so that it can carry out non-discriminatory checks at the point of arrival.

45. In this field as in others, abolition of internal controls must be accompanied by uniform controls at external frontiers, i.e. carried out at the frontier inspection post, to the extent that import conditions have been harmonized. Where import conditions are not yet harmonized, then:

- either the frontier inspection post carries out the control on behalf of the Member State of destination on the basis of the rules in force there; however, in the case of live animals and where the rules on internal movement have been harmonized, controls will be carried out according to the rules which apply to intra-Community trade, without prejudice to specific rules for certain diseases;
- or, under agreements between the authorities in the Member States concerned, the controls on entering Community territory may be carried out on the basis of documents, with the physical controls being carried out at the

point of destination. However, this option does not apply in the case of animals for slaughter.

46. These control arrangements are backed up by the ANIMO network, which links frontier inspection posts to the authorities in the Member State of destination, and by the SHIFT system, which will link up frontier inspection posts.

47. All these measures have been in force since 1 July 1992. However, in view of the need to supplement these arrangements by implementing measures which must be taken by the Commission, and bearing in mind also the considerable delays in transposition in certain Member States, transitional measures have been adopted for a period of six months to allow gradual implementation of the new arrangements and controls during transit, especially for products and live animals from third countries.

48. In the plant health field, the abolition of controls at internal frontiers must take place on 1 January 1993; a major proposal on finance to combat organisms harmful to plants or plant products and on the financial responsibility of Member States in the event of negligence in performing the necessary inspections is still before the Council. However, its forthcoming adoption should not be allowed to delay abolition of physical controls at frontiers, which is part of the reorganization of controls along the same lines as in the veterinary field. The entry into force at the end of the year of these measures will necessitate:

- the adoption by the Commission well before the end of the year, and at the very latest in October 1992, of more than 15 implementing measures under the basic Directive 77/93/EEC;
- the transposition by the Member States of all the measures taken, the most important of which will enter into force only at the end of this year: in general, directives in this field are in the process of being transposed, but effective implementation of the rules, which normally serve to reinforce health protection, implies a restructuring of the existing set-up and, in particular in Member States with a federal structure, additional resources in terms of staffing, equipment and training;
- the establishment, decided by the Commission in December 1991, of the Veterinary and Plant Health Inspections Office;
- establishment of the EUROPHYT computerized network.

49. Controls resulting from the common commercial policy: on the basis of an industrial analysis of the problems facing products subject to restrictions authorized under Article 115, together with, in some cases, practical accompanying measures taken in accordance with the rules on the use of the structural funds and pursuant to agreements with third countries (cars), the Commission has been able to reduce significantly the number of cases in which Article 115 has been applied. In July only four types of product were still subject to such restrictions:

- cars: restrictions on Japanese exports to Italy and Spain, monitoring of exports to Spain of four-wheel-drive vehicles from the CIS and monitoring of Japanese exports to Italy of vehicles of less than five tonnes. As regards Japan, these measures will be discontinued at the end of the year under the voluntary restraint agreement concluded in December 1991. As regards exports of four-wheel-drive vehicles from the CIS, Commission departments are examining how the Community should respond (anti-dumping procedures or commercial measures);

- motorcycles: restrictions on, and monitoring of, Japanese exports to the Italian and Spanish markets. These measures have been retained until the end of the year pending the negotiation of cooperation agreements between Community industry and Japanese industry;
- bananas: restrictions in force on the Greek, Spanish, French, Italian, Portuguese and United Kingdom markets. These measures will be lifted under Community measures for the banana market to come into effect on 1 January 1993, the main lines of which have been drawn up in consultation with all interested parties, and in particular with the producer regions in the Community. On this basis, the Commission sent the Council in August a proposal for a regulation on the common organization of the market in bananas, which establishes quotas for imports from third countries, with the exception of traditional imports from ACP states, and introduces various systems of aid for Community producers. The preferential system agreed with the traditional ACP supplier countries is maintained;
- shoes: monitoring on the Spanish market of products originating in China. This measure, which applies only to canvas shoes, highlights the Community's concern in the face of mounting Chinese exports to the Community on economic and commercial terms that are open to doubt. It is for this reason that the Commission has proposed the introduction of a Community quota.

50. Controls on transport: the frontier checks on vehicles registered in the Community were abolished on 1 January 1992 by the Council regulations on general checks and on checks carried out on vehicles being used for special transport purposes. However, owing to the embryonic character of the common external policy on transport, the bilateral quotas granted by Member States to third countries need to be administered at the Community's external frontiers. The Commission has, therefore, presented to the Council a proposal requiring the customs authorities to check and endorse all bilateral transport permits, whatever the destination within the Community, in order to avoid any deflection of internal trade. The checks carried out for tax purposes on the amount of fuel contained in the tanks of lorries will be discontinued on 1 January 1993 with the entry into force of the general system of duty-free allowances introduced by the directives on the movement of goods subject to excise duty and VAT. On the other hand, if the Council does not reach agreement on the new system of VAT on intra-Community passenger transport early enough for it to be applied from 1 January 1993, those Member States which retain frontier checks, particularly on road transport, will have to replace them with an alternative system of control, in accordance with Article 8a.

51. Export controls: the abolition of frontier controls will call into question the arrangements introduced at national level for controlling exports of sensitive goods and technologies and for protecting national treasures:

- the sensitive nature of certain goods or technologies derives from the dual use - civil and military - to which they can be put. The controls applied under various control arrangements generally also apply to intra-Community trade. The Commission, on the basis of close consultation with all the Member States and of work carried out within the Council following its communication of January 1992, recently sent the Council a proposal for a regulation to introduce effective controls on certain dual-use goods and technologies at the Community's external frontiers, which will remove the justification for controls on intra-Community trade in those items;

- in the case of national treasures, the Council has before it two Commission proposals on which Parliament has delivered its opinion; these proposals aim to harmonize export controls and to introduce a system for the return of cultural objects dispatched unlawfully to another Member State. In accordance with the conclusions of the European Council in Lisbon, the Commission expects these proposals to be adopted soon so that they can enter into force on 1 January 1993.

52. Collection of statistics: the Community has equipped itself with the means for managing a statistical tool tailored to the needs of Member States. The integration of national markets into a single market and the process of economic integration in preparation for monetary union have removed the justification for the kind of cross-border trade statistics collected up to now. The Council has therefore reorganized the collection of data on the basis of a regulation adopted on 7 November 1991 and due to enter into force on 1 January 1993, although it does give Member States a large measure of discretion, particularly with regard to (i) relations between statistics departments, those required to supply data and third parties making declarations, (ii) the keeping of registers by economic agents, (iii) the introduction of simplified procedures and, above all, (iv) the fixing of statistical thresholds with a view to easing or even removing the obligations on those required to supply data. Member States must therefore use this framework to take the interests of firms fully into account; the Community could not be held responsible if these statistical arrangements did not bring about a reduction in the burden on businesses.

53. In connection with the implementation of the above regulation, and in order to take account of the needs expressed in particular by Germany, the Netherlands, Luxembourg and Belgium, the Commission has proposed that the reorganization of the collection of statistical data be extended to trade involving goods in transit and in warehouses. In addition, given the responsibilities entrusted to it, the Commission will publish three implementing regulations concerning statistical thresholds, certain detailed rules of application and statistical data mediums. At the same time, work is progressing on the COMEDI project to develop an infrastructure for the collection of declarations on intra-Community trade, and for the checking, aggregation and dissemination of statistics on trade in goods; this work, the aim of which is to simplify matters for those required to supply data and for the national authorities, has concerned the simplification and automation of procedures for the transmission of data between businesses, national authorities and Eurostat.

54. Controls on agricultural products: the operation of the common agricultural policy involves a series of controls and formalities at frontiers which will have to disappear by the end of the year under reorganization measures still to be taken:

- the operation of monetary compensatory amounts entails frontier controls, at least on trade with Member States; the Commission recently put forward the necessary proposals for the abolition of these controls through the introduction, from 1 January 1993, of a new agri-monetary system based on exchange rates very close to actual rates; Parliament and the Council should act on these proposals as a matter of urgency;
- other controls are connected with the rules governing the common organization of the markets in certain products (milk; cereals and refined sugar); as and when these rules expire during the second half of 1992, the Commission will have to adjust them to make them compatible with Article 8a. This has recently been done for sugar refined from raw sugar originating in the French overseas departments;

- other controls result from the transitional arrangements introduced by the Act of Accession of Spain and Portugal and in force until 1995. The Commission will shortly propose a set of measures aimed at abolishing most of the accession mechanisms, while maintaining the guarantees granted to producers during the transitional period. However, for a small number of products (live cattle, milk in small containers, certain fruits and vegetables), the supplementary trade mechanism (STM) will be retained under a new system of controls carried out primarily in the country of destination;
- finally, so as to eliminate any risk of controls connected with national quantitative restrictions or with the application of Article 46 of the Treaty, the Commission has presented a proposal on honey; proposals will shortly be presented for other products if necessary.

55. Other controls: the previously-mentioned communication of 17 June 1992 (see para. 41) contains a systematic analysis of these controls. This progress report should take stock of the Community work on reorganizing these controls. All the proposals, with the exception of that on precious metals, are before the Council and most of them have also been sent to Parliament. Over the coming weeks, the Council must, therefore, adopt the proposals on medical devices, waste, explosives, and drug precursors which is the subject of a common position.

2. Controls on persons

56. The Community work on this aspect has now been completed. The necessary steps have been taken to abolish all controls on persons for reasons connected with objects which they may be carrying, whether these controls are carried out for taxation or security purposes:

- the system of duty-free allowances for travellers will disappear on 1 January 1993; individuals will no longer be subject to VAT when bringing back goods from another Member State, whatever the value of the goods and provided, of course, that they have paid VAT and excise duty in the Member State of origin (specific tax arrangements for new vehicles will continue to ensure that these are taxed in the country of destination, without this giving rise to frontier controls or formalities). Likewise, all formalities and payment of VAT will be abolished in connection with removals and, more generally, in connection with journeys during which individuals carry new or used goods intended for their own use or to be offered as gifts (marriage gifts, inherited goods, transfer of goods to a second home). Since the Council has agreed to the retention until 1st July 1999 of duty-free sales subject to certain conditions, particularly at airports, Member States will need to apply new control arrangements in view of the abolition of frontier controls; these new arrangements must centre on the vendor concerned and no longer on the customs services. In this connection, the Commission will shortly publish guidelines drawn up in cooperation with the Member States with a view to ensuring that these controls are effectively carried out;
- frontier controls on the possession of weapons will cease to be justified with the entry into force on 1 January 1993 of Directive 91/477/EEC, which will make the acquisition and possession of weapons subject to common rules based on a Community list of authorized weapons. The implementation of this directive presupposes cooperation between the competent national authorities, for which the Commission is currently introducing the necessary arrangements;
- once frontier controls have disappeared, pets accompanying individuals will be able to be checked, away from frontiers, anywhere on the territory of

each Member State; with this purpose, the Commission is currently preparing an appropriate proposal.

57. In response to the Commission's thinking on the conditions for the abolition of frontier controls on individuals, the Member States have, since 1986, introduced (Ad hoc Working Party on Immigration) or stepped up (TREVI group and Mutual Assistance Group - MAG) the necessary cooperation between national authorities, so as to supplement Community action with intergovernmental measures. From 1989, this activity has been supervised by the coordinators group for the free movement of individuals (Rhodes group), which drew up the Palma document approved by the European Council in Madrid in June 1989. This document sets out the measures which are essential for the abolition of frontier controls on individuals.

58. The intergovernmental aspects of the Palma programme have been implemented by the various competent bodies (Working Party on Immigration, TREVI group, MAG and the Group on Political Cooperation); at the legislative level, intergovernmental activity has concentrated on two instruments for which the technical work has been completed:

- the Dublin Convention of 15 June 1990 determining the State responsible for examining asylum applications: the Convention has been signed by the twelve Member States and ratified by three of them (Denmark, Greece and the United Kingdom), with ratification expected shortly by a further two (Ireland and Portugal);
- the draft convention on the crossing of external frontiers, which has been ready for signing since June 1991 but which remains blocked because of the bilateral problem between Spain and the United Kingdom over Gibraltar; the Commission has a duty to point out that this convention contains several measures identified as being essential in the Palma document. While welcoming the significant step forward which this convention represents, the Commission must insist strongly that the outstanding problem be resolved without further delay, failing which the abolition of internal frontier controls in accordance with Article 8a will not be able to take place under satisfactory conditions owing to deficiencies in the administration of external frontiers.

59. Two supplementary instruments have still to be drawn up by the end of the year:

- one to establish the European Information System (EIS), which is designed as a channel for judicial and police cooperation and for the exchange of information between authorities; despite the important work carried out this year, particularly in order to take account of the work already done to set up the Schengen Information System (SIS), a renewed effort is still needed to achieve this objective;
- a convention on the protection of personal data which concerns respect for privacy and will have to follow the protective principles advocated by the Commission in its proposals on data protection; indeed, it is essential that cooperation between the authorities is based on the same protective principles throughout the Community, including in those areas which are expressly outside the Community's terms of reference and are, therefore, dealt with at intergovernmental level.

60. Concurrently, within the framework of the TREVI group, practical cooperation measures have been brought in to accompany the abolition of police controls at internal frontiers: definition of common concepts of control, exchange of liaison officers, police training (particularly language training), joint investigations.

Other measures are being prepared, in particular concerning the right to undertake cross-border surveillance, the right of pursuit, and mutual assistance with enquiries. In June 1991 the European Council was keen to set up EUROPOL in order to strengthen such cooperation, and a work programme was therefore submitted to it in December 1991 the first stage of which would consist in setting up the Europol Drugs Unit (EDU). Meeting in Lisbon, the European Council approved the establishment of this Unit and requested that a convention be concluded for the purpose.

61. Work similar to that by the TREVI group has been undertaken within the Mutual Assistance Group (MAG 92) in respect of the customs aspects for which the Community does not currently have responsibility (drugs, etc.); it has focused in particular on the modernization of the legal instruments of administrative cooperation (Naples Convention), the framing of a common customs strategy for the Community's external frontiers to take account of the changes consequent upon the abolition of internal frontier controls, and the setting-up of the Customs Information System (CIS).

62. As 1993 approaches, it has to be acknowledged that, despite the delays in ratification procedures (Dublin Convention) and in signature (Convention on the external borders because of the dispute between Spain and the United Kingdom on the treatment of Gibraltar) of intergovernmental conventions, cooperation has borne fruit through the establishment of precise machinery for regular cooperation between the police and immigration officials. At their half-yearly meetings, ministers have thus been able to coordinate national approaches regarding the list of third countries whose nationals are subject to, or exempt from, visa requirements for entry into a Member State, thereby foreshadowing Article 100c of the draft Treaty on European Union. As part of the rapid consultation machinery established in 1991, they have also been able to discuss the massive and unexpected movements of population now taking place. Finally, they have begun to coordinate their approach to immigration and asylum, in particular on the basis of the orientations of the Council and instructions given by the European Council. The pragmatic cooperation at the outset has thus made way for regular cooperation reflecting an awareness of the need for a common stance in the face of common social problems, thereby anticipating the institutional provisions of Title VI of the draft Treaty on European Union.

63. The coordinators emphasized in their report to the Maastricht European Council that while they had not been able to carry out their full mandate, those parts which they had not fulfilled were unlikely to delay the abolition of frontier controls on individuals. By contrast, the fact that some of the measures considered by the European Council as essential have not yet been implemented is a source of real concern. The Commission reiterates the determination it expressed in its Communication of 8th May 1992 fully to apply Article 8A for the abolition of border controls.

II. REMOVAL OF TECHNICAL BARRIERS

64. This remains the field where most progress has been made; in certain respects such as the application of the "new approach", the opening-up of public procurement, and the liberalization of capital movements and financial services, work foreseen in the White Paper has been completed. The Commission is, therefore, devoting most of its attention to managing the existing body of Community law, and this involves not only monitoring its transposition and implementation but, most importantly, preparing European standards and enforcement measures. The rate of transposition is more than 71%; 35 directives out of 107 have been incorporated into national law in all Member States, as against only 24 last December; the situation has particularly improved with regard to public procurement and financial services; the longest delays concern the "new approach", securities, the right of establishment and the supply of audiovisual services.

1. Technical harmonization and standards

65. Although in these areas, in contrast to others, cooperation and joint work are already long-established, recent achievements were made possible by overcoming problems that had previously stood in the way of all progress. Only one White Paper proposal (the labelling of food products treated by irradiation) is still before the Council.

66. The Commission has continued to put the principle of mutual recognition into practice, particularly on the basis of Article 30 of the EEC Treaty. This action, while ensuring effective and more extensive trade liberalization, has also made it possible to avoid an ill-considered development of legislative initiatives. More than 1 500 cases involving technical barriers were examined in 1991 and several hundred were resolved by applying the principle of mutual recognition. This principle, while acknowledging Member States' right to retain their laws and the cultural values enshrined in them, enables products from other Member States that have been manufactured according to different technical rules or processes to be recognized and offered for sale subject to the same conditions as domestic products. This task has been facilitated in particular by the publication of interpretative notes, for example, on the names under which foodstuffs are sold, or on the free movement of food products. These notes, which the Commission undertook in the White Paper to issue, spell out the Community rules and procedures in force in a particular sector and serve as a guide to the obligations incumbent on public authorities and the rights enjoyed by Community citizens.

(a) The "new approach"

67. The new approach has four inseparable components:

68. Notification of national technical regulations constitutes an important means of preventing barriers to trade. Over 400 draft regulations were examined in 1991 and some 170 of them were the subject of a detailed opinion resulting in their being brought into line with the principles governing the operation of the single market. The number of notifications during the first few months of 1992 shows that, although the deadline of 1 January 1993 is drawing near, Member States are continuing to draft a considerable number of technical regulations. During the first half of the year, the Commission received 156 notifications and delivered detailed opinions on 64 drafts, while the Member States themselves delivered 42 opinions. In 14 cases, the Commission requested Member States to postpone for one year the adoption of the national measures notified and announced that it was planning to propose harmonization measures.

69. In these circumstances, the satisfactory operation of the single market justifies the strengthening of Directive 83/189/EEC as regards the notification of technical regulations, in particular by:

- extending its scope so as to include various measures, other than technical regulations, through which national authorities impose technical requirements on products;
- strengthening the procedural constraints, and more particularly the standstill period in the event of a proposal being announced by the Commission (extension of the standstill period from 12 to 18 months).

The Commission intends to propose to the Council before the end of the year a second amendment along these lines to Directive 83/189/EEC.

70. Effective transposition of directives: during the last few months, the deadline has been reached for the transposition of new directives on electromagnetic compatibility, machinery, personal protective equipment, weighing machines, implantable medical devices, gas appliances and construction products; six of these are already in force (toys, simple pressure vessels, gas appliances, electromagnetic compatibility, personal protective equipment and construction products). Transposition has been held up in all cases; the only one for which all transposition measures (incomplete in two Member States) have been notified is the Directive on toys, which has been in force since June 1990. The Commission, recognizing that these delays are due in certain cases to unexpected complications, has proposed the introduction for some directives (e.g. electromagnetic compatibility and simple pressure vessels) of a transitional period during which manufacturers have the option of continuing to produce and market products in conformity with national rules kept in force alongside the Community provisions. This breathing space will also give Member States time to improve their certification infrastructures and standardization bodies time to put the finishing touches to European standards.

71. The experience gained in transposing the earlier directives highlights the difficulties encountered by Member States and the choice with which they are faced:

- some merely reproduce the text of the directive, deferring until the implementation stage the difficulties of incorporating the arrangements contained in the directives into the national system of market supervision and penalties;
- others incorporate the Community rules into the national system but are then unable to meet the deadlines for notifying a full set of transposition measures, given the number of enforcement measures required. One Member State, therefore, publishes circulars proposing to manufacturers the option of applying the Community rules straight away.

72. In order to help Member States and economic agents implement these directives, the Commission has launched a series of measures:

- as soon as directives are adopted, the Commission meets with the Member States in order to forestall any problems of interpretation and thus to assist them in the preparation of transposition measures;
- similarly, as soon as directives are adopted, it encourages each Member State to take the necessary steps with regard to the designation of certification agencies; thus, even before formal transposition and the notification of "notified bodies", the Commission is able to bring together

the bodies likely to be concerned so as to prepare for the management phase of the directive;

the Commission has also set about drawing up, in cooperation with the national authorities, a guide to the new approach which will give a generally agreed interpretation of the directives. This guide, the first edition of which is due to be completed by the end of 1992, is to be continually updated. In the same connection, the Commission is considering devising a Community market supervision policy aimed at ensuring better coordination of national activities in this area and thereby achieving consistent implementation of the directives throughout the Community. In the case of certain directives (e.g. medical equipment), this will take the form of a system for exchanging information on incidents recorded by the national authorities;

- finally, the application of certain directives involves the adoption of a number of implementing provisions; this is the case with the directive on construction products, which requires interpretative documents; these are due to be adopted by the end of the year.

73. Policy on standardization: the availability of European standards is an important condition for the proper application of the "new approach" directives, even though these establish mechanisms for the placing on the market of products for which there are no standards. While the overall situation is satisfactory with regard to toys, pressure vessels and personal protective equipment, in other areas several measures have had to be taken to speed up work at the European standards organizations.

74. Various organizational measures have been taken to promote their work and to make it more widely publicized and more transparent; the most important measures include shortening the time taken to publish standards adopted, speeding up public consultation procedures and launching an emergency programme to ensure the adoption of standards which it is considered must be available by the end of the year. The regular dialogue between the Commission and the standardization bodies, the growing pressure from the market for European standards to be made available, and the machinery introduced for planning and setting priorities have all contributed towards improving the efficiency of European standardization. This is now being reflected in the faster pace at which draft standards are being issued for public consultation.

75. The Commission's Green Paper on the development of European standardization, published in January 1991, gave rise to wide-ranging discussions. A large number of comments were received from industry, governments, standardization bodies, trade associations and other groups, not only within Europe but also from third countries and international organizations. In-depth discussions were held with the various interested parties at European level, leading to general agreement on the approach to be adopted towards European standardization; a number of specific measures were taken by standardization bodies in accordance with the recommendations contained in the Green Paper. The conclusions drawn by the Commission were summarized in its Communication of December 1991 on standardization in the European economy (COM(91) 521). On 18 June 1992, the Council adopted a resolution confirming the role of European standardization and certain strategic elements of this policy, such as the high quality of standards, the need for the standardization process to be efficient, transparent and open and to ensure availability, accessibility and effective transposition of European standards at national level, as well as cooperation with international standardization bodies, and wider use of European standards as a means of technical support for Community legislation and as an instrument for economic and industrial integration.

76. Directive 83/189/EEC also contains provisions on the transparency of European standardization. In particular, it lays down a number of basic principles (e.g. participation in national standardization activities, encouragement to adopt European standards instead of national standards, access to information on national activities) and allows the Commission to request the European standardization bodies to prepare European standards. The aims of this Directive clearly remain relevant, but the mechanisms need to be further streamlined. When the directive is amended for the second time, the Commission therefore intends to propose that the notification requirement be limited to new standardization activities at national level, i.e. to additions to national standards programmes where these activities are likely to affect the operation of the internal market. In contrast to the current system, no additional notification would be necessary as regards, for example, draft national standards, unless specifically requested by the Commission, a Member State or national body on the basis of the standards programme. It should be noted that the European Telecommunications Standards Institute (ETSI) will now be one of the European bodies recognized by this directive.

77. Policy on certification: completion of the internal market depends on harmonization of technical regulations or mutual recognition of tests and certificates or any other certification procedure establishing the conformity of products to the regulations in force. To that end, the Council adopted on 13 December 1990 a decision laying down the certification modules to be used in future technical harmonization directives. Work is also continuing within the Council on the proposal for a regulation concerning the conditions for using and affixing the CE mark, so as to ensure consistent marking conditions for all the "new approach" directives; this regulation is expected to be adopted by the end of the year. In accordance with its resolution of 21 December 1989 on a comprehensive approach to conformity assessment, the Council also has before it negotiating directives for mutual recognition agreements with third countries which it is about to approve.

78. With regard to private testing and certification activities, the European Organization for Testing and Certification (EOTC), after a two-year experimental phase, is preparing to set up its final structures within the framework of a private-law organization by the beginning of 1993. It has already recognized eight sets of mutual recognition agreements and set up two sectoral committees (on electronics and information technology).

(b) Sectoral approximation of laws

79. Motor vehicles: the White Paper programme has now been completed with the raising of emission standards and, above all, the introduction from 1 January 1993 of Community type approval, which will initially be optional before becoming compulsory for all motor cars registered in the Community from 1 January 1996. This progress has been made possible by the agreement on the policy to be pursued towards Japan, which allowed the resumption of negotiations started in 1983. All work in this sector was thus given a fresh impetus, with the Council agreeing on the gradual introduction of a Community system of type approval for motorcycles and with work on transport vehicles virtually complete.

80. Transposition of these directives is proceeding smoothly in the Member States. The Commission places particular importance on the transposition of the directives on emissions: these follow the technique of "total harmonization", but some Member States, by making them "optional", have left national rules in place alongside the Community directives. The move towards a compulsory system for all manufacturers shifts new responsibilities onto the Community for the adaptation of these directives to new safety and environmental protection requirements. Where the Member States are concerned, the implementation of the new type-approval system covering the entire vehicle will require national

administrative structures to be adapted; registration of a vehicle which complies with a "type" approved in another Member State will force the competent technical departments to establish administrative cooperation among themselves with the assistance of the Commission.

81. Foodstuffs: the White Paper programme will be completed if the Council is able to adopt most of the proposals before it by the end of the year. Pending their adoption, mutual recognition of national rules pursuant to Article 30 will continue to apply, while respecting the essential principles of consumer safety. On the basis of the framework directives adopted by the Council, implementing measures have been adopted by the Commission regarding materials which come into contact with foodstuffs and foodstuffs intended for particular nutritional uses. Other implementing measures are being prepared. Measures have been proposed to the Council regarding additives and labelling (quantitative indication of ingredients), matters on which powers have not been delegated to the Commission. In order to complete this overall package, the Commission has laid before the Council a proposal on food hygiene which introduces essential health requirements for all foodstuffs and a proposal on new products aimed at promoting innovation while ensuring protection for consumers.

82. The directives adopted in 1985 and 1986 have now been transposed in all Member States, except for the labelling Directive (86/197/EEC) in Portugal and the directive on simulants in the United Kingdom and Italy. The degree of transposition of the other directives varies from one Member State to another: of the seventeen directives in force, Denmark, Greece and Belgium have adopted the necessary measures for transposition. Germany is the country with the largest number of infringement proceedings against it. Generally speaking, the situation has improved considerably bearing in mind that, only a year ago, this area was the one in which the largest delays were occurring.

83. Over and above the question of transposition, the Commission must ensure that the directives are being properly implemented in Member States; from 1993, a Community monitoring programme aimed at coordinating official controls will be drawn up each year on the basis of the directive on the control of foodstuffs. In addition, the scientific evaluation which must inevitably form the basis of any rules in this area and which, in future, will be the Commission's responsibility must be improved, especially in preparation for the adoption of the numerous implementing directives which are still required. To do so, the secretariat of the Scientific Committee for Food must be strengthened and cooperation developed between that Committee and the national scientific institutes; such is the purpose of the proposal currently before the Council and Parliament.

84. Pharmaceuticals: all the measures announced in the White Paper have been adopted in time by the Council, which has even gone beyond the original programme in the case of Directive 92/28/EEC on the advertising of medicinal products for human use. The Commission has itself fulfilled its implementing responsibilities by adopting the six measures provided for in directives or framework regulations of the Council. Transposition by Member States is still proceeding satisfactorily, except in the case of the most recent technical measures, although these should be transposed throughout the Community at the start of 1993 despite their complexity: 50% of the directives have been transposed in all the Member States, with the main delays occurring in Belgium, France, the Netherlands and, to a lesser extent, Spain.

85. This very comprehensive harmonization has enabled the Community to launch a trilateral programme for harmonizing tests on medicinal products with the United States and Japan, the aim being to reduce the overall cost of world pharmaceutical research ("ICH", 1991-95).

86. In order to guarantee that this harmonization effort exerts its full effect on industry and to reduce the costs linked to authorization procedures for the marketing of medicinal products, the Commission proposed in 1990 that a new marketing-authorization system, including the creation of a European Agency for the Evaluation of Medicinal Products, be introduced; a Council decision is expected before the end of 1992 which would enable the system to be operational in 1995.

87. Chemical products: work has been completed in this field too. The general directive on the classification, packaging and labelling of dangerous preparations, which has replaced the earlier directives, has been in force for more than a year; its transposition is significantly behind schedule since only half of the Member States have transposed it into national law. For its part, the Commission has adopted the first implementing measures relating to certain categories of packaging and the exchange of information between administrations. In the area of fertilizers, the Commission is currently finalizing the methods of analysis with a view to completing the marketing rules for fertilizers approved in accordance with the Council directives, which have now been transposed in all Member States except, in the case of one of them, in Italy. It is with regard to marketing restrictions that Community legislation must be developed in order to reinforce the level of protection against dangerous substances and preparations as provided for in Article 100a(3) and to prevent any Member States that vote against these provisions within the Council from invoking the safeguard clause of Article 100a(4); the Commission is currently examining requests for confirmation of national legislation presented by Germany regarding PCP and by the Netherlands regarding PCP and cadmium.

2. Public procurement

88. Work has now been completed within the Council or is about to be completed following a political agreement reached on a common position on the directive opening up procurement in public services (transport, telecommunications, energy and water distribution). This will round off the entire package of Community disciplines in the area of public procurement based on:

- rules establishing transparency in the opening-up of public procurement to competition, the controlled use of restricted or negotiated procedures, and transparent selection criteria for tenders submitted for supply, works and services contracts awarded by public authorities at all levels and, in the water, energy, transport and telecommunications sectors, by enterprises enjoying special or exclusive rights;
- effective and rapid review procedures in the case of decisions taken by awarding authorities or bodies in breach of Community law governing public procurement.

89. Not all the directives adopted are yet applicable; however, for those which are, the process of transposition is slow:

- no Member State has yet transposed into national law the directive applicable in the water, energy, transport and telecommunications sectors;
- Greece, Spain and Luxembourg have not transposed the Directive on public supply contracts;
- Greece, Spain, Luxembourg and Portugal have not transposed the directive on public works contracts;

- all Member States except Greece, Germany and Luxembourg have transposed the directive on review procedures.

90. However, as in other areas, transposition is merely the formal means of implementation. Effective implementation can be achieved solely through a fundamental change in the behaviour of public buyers and tendering firms. The Commission, acting on the basis of the procedures laid down by the EEC Treaty and by Directives 89/665/EEC and 92/13/EEC, and the Member States, each applying their own arrangements, must together monitor compliance with the obligations set out in the directives. To this end, cooperation between the Member States, public buyers and the Commission will have to be stepped up in order to rationalize the monitoring arrangements and to allow them to be effectively applied. Measures currently being implemented to inform and to provide training for public buyers and enterprises are also vital if public procurement is genuinely to be opened up to competition. To help ensure uniform application of these directives, the Commission has set up supervisory mechanisms under which its departments are systematically sent information on contracts awarded and are able to request specific information in certain special cases. In addition, the directives establish review machinery which should allow these arrangements to be adapted in the light of the experience gained in implementing them. The Commission departments concerned are looking closely into the effectiveness of the current rules on public procurement.

3. Free movement of workers

91. The only proposals in the White Paper programme which have not been adopted and will probably not be by the end of the year are those relating to the free movement and residence of workers and the members of their families; these proposals aim to widen the circle of direct beneficiaries of Community law, to improve equality of treatment and to protect the rights of workers employed on a short-term basis and their families. These proposals have been with the Council since 11 January 1989 without it having been possible to find a qualified majority in favour of them.

92. Right of residence: the directives extending the right of residence to students, retired persons and other members of the non-working population have been in force since 30 June 1992; most Member States have not submitted the legislation transposing them into national law. Such an attitude cannot be justified by the fact that the Court of Justice has annulled Directive 90/366 on the right of residence for students on the grounds that it was adopted on an incorrect legal basis (judgment of 7 July 1992 in Case C-295/90 European Parliament v Council), since the Court judgment stipulates that the effects of the directive are to be maintained until it has been replaced by a new directive adopted on the correct legal basis. The situation is unacceptable given the new dimension of free movement which these directives are designed to extend to categories of the population so far excluded.

93. The regulated professions: the Council has completed its work of facilitating the right of establishment through the recognition of diplomas.

- without doubt, the greatest problems concern the first system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration. The directive took effect on 4th January 1991. Three Member States have transmitted all their transposition measures. Before the end of the year, three other Member States will probably do likewise. Three Member States have transmitted only partial transposition measures. The Commission has begun an analysis of the quality of the measures adopted or in the process of being adopted which should be completed by the end of the year; its task is not

made any easier by the variation in methods from one Member State to another according to how the professions are organized and whether or not the Member State in question has a federal structure; nor is it facilitated by the broad discretion allowed each of the competent authorities in each Member State. This is why, in its attempts to avoid differences of interpretation, the Commission has given priority to conducting a dialogue with the Member States within the group set up by the directive; at the same time, the Commission is setting up a network of contact points for the exchange of information on the recognition of professional diplomas. In a system which, for its correct application, depends largely on establishing and maintaining confidence between the various parties concerned, the Commission has a particularly important role to play in providing a lead to the coordinating group which will serve as a think tank (common interpretation of the basic provisions of the directive), a review body (solution of specific problems) and a point of contact between Member States.

- the harmonization directives adopted as part of the White Paper programme pose far fewer problems of transposition. Although the situation has improved significantly as regards recognition of the qualifications of commercial agents, with only Belgium and the Netherlands having failed to transpose the relevant directive, delays are still being encountered in Belgium regarding the transposition of the "pharmacists" directives and in Germany regarding the "general medical practice" directive, which has still to be transposed in the Saarland and in four of the five new Länder (the first stage of this directive relates to the establishment of a minimum of two years' training in general medicine; the second stage, which is supposed to come into effect on 1 January 1995, will make possession of such a diploma compulsory in the context of the social security system).

94. The non-regulated professions: pursuant to the Council decision of 1985 on the comparability of qualifications, 19 professional sectors will have been the subject, by the start of 1993 at the latest (for two of them), of the publications necessary for disseminating information on the recognition of qualifications obtained in another Member State. This will mean that 209 professions will have been covered by such publications. A further stimulus has been provided by the information campaign among Member States undertaken in collaboration with the European Centre for Vocational Training (CEDEFOP). On the basis of evaluations of the effectiveness of the current approach submitted by the Member States, the Commission will present an additional proposal before the end of this year.

4. Services

(a) Financial services

95. Despite past difficulties, the White Paper programme has now been completed, not only for securities, where the first decisions were taken in 1985, but also for credit institutions and insurance.

96. Credit institutions: the Community framework has recently been strengthened by the adoption of the common position on the monitoring and control of the large exposures of credit institutions, which is expected to be definitively adopted by the end of the year; this will complete the structure brought in by the second banking directive, which introduced the principle of the freedom to provide services on the basis of recognition of authorizations granted by the country of origin, and by the directives on own funds, solvency ratios, the prevention of money laundering and the supervision of credit institutions on a consolidated basis. Some of these directives have already entered into force (own funds, solvency

ratios), while the others will take effect on 1 January 1993. If account is taken of the proposal on deposit-guarantee schemes, which the Commission recently transmitted to the Council to replace the 1986 Commission recommendation and which might be approved before the end of the year, the Community will, in January 1993, possess a complete body of legislation based on a single licence and prudential control by the Member State in which a bank has its head office.

97. Insurance: adoption of the third non-life directive and of the common position on the third life directive, whose definitive adoption is expected before the end of the year, has set in place the last generation of Community legislation designed to complete the internal market in the insurance sector by introducing freedom to provide insurance services, with policyholders enjoying a wider choice at the lowest possible price owing to increased competition. As with banking, prudential supervision will be carried out by the Member State in which the head office is located, with prior supervision by, and systematic notification of tariffs and policies to, Member States' supervisory authorities being abolished (except for the systematic communication of technical bases to the home Member State in the case of life assurance), irrespective of whether insurance services are provided on the basis of establishment or via the principle of the freedom to provide services. This, together with the proposed extension to institutions for retirement provision (pension funds) of the principle of the freedom to provide services, will mean that full account will have been taken of the effects of the free movement of workers and of the necessary continuity of insurance services.

98. Stock exchanges and securities: this is the third pillar of the process of completing the internal market in the area of financial services; the common position of the Council on capital adequacy and the broad agreement on investment services will enable the obstacles to trade and industrial cooperation to be overcome while ensuring the vital balance between the information which investors should be given and the confidentiality which this type of market demands. In addition, access to the main stock exchanges in the Community will be opened up to credit institutions.

99. In this area, as in others, introduction of the principle of the freedom to provide services is only one element on which the development of Community legislation will have to be based if the exercise of that freedom is not to damage the interests of enterprises and financial institutions; this will be the case with the additional measures necessary as regards, for example, the supervision of financial conglomerates or with the establishment of guarantee systems to protect investors in transferable securities.

100. All the indications are that, by the end of the year, the Member States will have taken the necessary transposition measures for the banking directives which will enter into force on 1 January 1993; contacts are currently taking place at the highest level to ensure that this deadline is met, a task made easier by the fact that the directives in question take account, for a transitional period, of certain distinctive national features. Progress with transposition in the insurance field is also satisfactory since all the directives, except the one on motor-vehicle insurance in force since May 1992, have been transposed in virtually all the Member States. The situation is even more encouraging in the field of stock exchanges and securities, with all the Member States having adopted transposition measures except as regards the directive on insider trading, which has been in force since June 1992 and has been transposed by eight Member States. Generally speaking, the situation regarding transposition in the area of financial services has improved considerably bearing in mind that, in its previous report, the Commission lamented the substantial delays being experienced in that area. All of the directives in force transfer new management responsibilities to Community level; it is in this connection that the Commission has sent to the Council and Parliament a report on

the treatment afforded financial institutions in third countries, this being one aspect of the external dimension of the internal market in financial services.

(b) Transport

101. Although considerable delays were observed in the transport sector up to 1991, and despite limited progress on air transport, almost all the measures set out in the White Paper have now been adopted. However, it is regrettable that the agreements reached within the Council concerning maritime and road cabotage have not respected the 31 December 1992 deadline.

102. Air transport: after the initial stages of liberalization in 1988 and 1990, the Council reached agreement in June 1992 on the introduction notably of the final stage of cabotage on the basis of three regulations concerning the licensing of air carriers, passenger air fares and freight charges, and access to intra-Community routes for carriers. These three regulations will enter into force on 1 January 1993 although there will be a transitional period extending to 1 April 1997 concerning cabotage.

103. Road transport: the Commission has focused on the gradual implementation of the Regulations on the international carriage of goods and cabotage. Although the progressive introduction of cabotage over the two years in which the arrangements have been in force has not led to any disturbances on the market, and despite the Commission's proposals to introduce a market-supervision and safeguard system for the final stage, no agreement has yet been reached on the changeover to the definitive system of road cabotage on 1 January 1993 owing to the link with problems of taxation in the transport sector.

104. By contrast, and this is a success if one considers that it has taken five years to reach a decision, a cabotage system will be introduced on 1 January 1993 for the carriage of passengers by road. For regular services, this system requires immediate liberalization of special services in frontier areas and a review of the situation on the basis of a report to be presented by the Commission before 31 December 1995, whereas for non-regular services it requires immediate liberalization of closed-door services and liberalization of all other services from 1 January 1996.

105. Maritime transport: cabotage will also be introduced on 1 January 1993 for maritime transport although special rules will apply:

- liberalization of cabotage will benefit only Community shipowners operating vessels registered in a Member State and flying the flag of that Member State, provided that the vessels in question satisfy all the conditions for access to cabotage in that Member State, including vessels registered in the EUROS register once it has been approved by the Council;
- on the question of the composition of crews, vessels involved in mainland cabotage operations and cruise vessels will apply the rules of the flag state, except for vessels of less than 650 tonnes grt, to which the legislation of the host state may be applied; however, in the case of cabotage between the mainland and offshore islands, manning questions will be subject to the rules of the host state.

106. Inland waterway transport: the carriage of goods and passengers by inland waterways will also be open to cabotage from 1 January 1993 although a transitional period will apply in France and Germany until 1995.

(c) New technologies and services

107. Open network provision - ONP: the purpose of ONP is to establish harmonized conditions for the provision of an open telecommunications network, this being essential to the completion of the common market in telecommunications services. After the adoption of the framework directive in June 1990, the Commission made a number of specific proposals. In this context, the Council definitively adopted on 5 June 1992 the directive on the application of ONP to leased lines (92/44/EEC). On the same date, it also adopted a recommendation on the provision of harmonized ISDN access arrangements in accordance with ONP principles (92/383/EEC) and a recommendation on the harmonized provision of a minimum set of packet-switched data services in accordance with ONP principles (92/382/EEC). The Commission will shortly present the Council with a proposal for a directive on the application of ONP to voice telephony services. These measures will largely complete the work programme for the period 1991-92, as agreed in the ONP framework directive.

108. Audiovisual services: just under a year after the entry into force of the "television without frontiers" directive, progress with transposition has been disappointing: three Member States have not communicated any transposition measures, and the nine measures which have been communicated pose problems of compatibility with the directive or the Treaty. This is despite the fact that the Commission set up, on its own initiative, an ad hoc group of national experts which has met six times since the directive's adoption, the aim being to make the national authorities more aware of the situation and to examine together any difficulties which could arise with transposition. Although it has not been challenged, the usefulness of this dialogue has not been substantiated in this particular case.

109. As in other areas, the responsibilities transferred to the Community by this directive extend to the task of conducting negotiations at international level. Whereas the directive has been accepted by all the EFTA countries under the agreement on the European Economic Area, the Community's accession to the Council of Europe Convention is proving difficult given the differences which exist between the text of that Convention and Community law.

110. When adopting the directive on television without frontiers, the Council deleted from the Commission's proposal the section dealing with copyright. The Commission has, therefore, found it necessary to make a specific proposal on the retransmission by cable and satellite of radio and television broadcasts after satisfying itself, on the basis of the discussions set in train in 1984 by the Green Paper on broadcasting, of the support of practitioners, Parliament and the Member States. Adoption of this proposal will establish a legal framework which will permit right holders, broadcasters and spectators to benefit fully from the European dimension on broadcasting.

111. The reality of television without frontiers, in its cultural and industrial dimensions, will require the introduction of the new standard for high-definition television as well as the 16/9 format.

5. Capital movements

112. Considerable progress was made in 1991 and at the start of 1992 on the liberalization of capital movements in those Member States (Greece, Ireland, Spain and Portugal) which benefited from transitional arrangements for eliminating all restrictions on capital movements:

- in May 1991 Greece lifted the restrictions on capital movements and the limitations on tourist allowances which had been authorized on the basis of Article 108 of the Treaty;
- in Spain, all remaining restrictions were abolished with effect from 1 February 1992, with the exception of the physical export of assets exceeding a certain threshold;
- on 1 January 1992 Ireland substantially eased exchange controls, which now apply in practice solely to the holding of foreign accounts by Irish residents.

In accordance with the directive on capital movements, all transitional arrangements must expire on 31 December 1992 although they may be extended for Portugal and Greece.

113. Implementation of this directive in the Member States is proceeding satisfactorily on the whole; the abolition of restrictions has been reflected in an increase in transfrontier capital movements over the last few years, including with those Member States which have only recently relaxed or even abolished controls. However, obstacles remain owing to measures or practices which favour national instruments or financial institutions, in particular through tax measures or prudential rules. The Commission departments are analysing these obstacles and are considering any initiatives which may be necessary. It has initiated infringement proceedings in cases where procedures for monitoring or controlling transfrontier capital transfers do not comply with the directive.

6. Creating a propitious environment for business cooperation

114. Over and above the legislative measures to facilitate business cooperation, the Community is developing, as part of its enterprise policy, initiatives and programmes aimed primarily at helping SMEs to find partners or to expand their operations throughout the Community. Take, for instance, BC-Net (Business Cooperation Network), which assists SMEs in identifying opportunities for cross-border cooperation, and the network of Euro-Info-Centres (there are currently 211 such centres in operation in the Community). In addition, there are measures to help SMEs participate in invitations to tender for public contracts and in subcontracting. These measures go hand in hand with the removal of legal obstacles to cooperation as part of the implementation of the White Paper.

(a) Company law and taxation

115. Company law: since the discussions on the proposals for a directive and a regulation on the Statute for a European Company failed to produce a successful outcome in June, technical work is continuing with a view to adoption of the Statute before 31 December 1992, although it is clear that the Statute will not be able to enter into force at the end of the year, this being the Commission's initial objective. The main difficulties arise in connection with the equivalence of worker participation systems, the voluntary introduction of such a system and its legal basis. In view of the priority accorded to adoption of this Statute, examination of the revised proposal for a fifth Directive has been suspended pending a solution to the problem of worker participation. Similarly, work on cross-border mergers (tenth directive) has been suspended since the proposal is still held up in Parliament. Work on the proposal for a thirteenth directive on takeovers and other general bids has stalled on account of a disagreement between the Member States on the rationale behind such an initiative, bearing in mind the rules on transparency introduced in another context for relations between companies.

116. No further progress is possible in the company law field between now and the end of the year. This is the field in which decisions have been fewest, leaving aside the adoption of the directives on disclosure requirements for branches (eleventh directive), on single-member private limited-liability companies (twelfth directive), on accountancy law (amendment of the fourth and seventh directives), and on the amendment to the second directive on which there is a common position. It is clear that the introduction of the European Economic Interest Grouping and the adoption of the European Company Statute will satisfy the need for business cooperation without it being necessary to pursue the harmonization of legislation for the purposes of completing the internal market. However, if the internal market is to operate satisfactorily, a consistent framework for national legislation will be needed. Difficulties in this field are also resulting in considerable delays in transposition, with the exception of the European Economic Interest Grouping, which, following adoption by Greece of the implementing measures, is now in force in all Member States.

117. Company taxation: following the adoption in 1990 of the "parent companies/subsidiaries" and "mergers" directives and signature of the "arbitration" Convention, the Council has continued its work on the proposals concerning a common system of taxation applicable to interest and royalty payments and concerning arrangements for the taking into account by enterprises of the losses of their permanent establishments and subsidiaries situated in other Member States. Despite Parliament's support for these proposals, some differences between Member States have so far held up a decision which requires unanimity. The Commission regrets this state of affairs since the proposals are designed simply to eliminate double taxation.

118. In this field, as in the field of company law, there are some delays in transposition. Admittedly, the two directives referred to above have been in force only since 1 January 1992, but if transposition is assured in 9 Member States in respect of the "parent companies/subsidiaries" directive, on the other hand, with regard to the "mergers" directive, it is assured only in 5 Member States. These delays have also been experienced with the ratification of the arbitration convention, only two Member States having ratified.

(b) Industrial and intellectual property

119. As the Commission has already noted in its previous reports, the work on harmonizing national legislation is continuing with success: following measures concerning the protection of microcircuits (semi-conductors) and, subsequently, the harmonization of trade mark law (entry into force has been postponed until 31 December 1992 to take account of delays in creating the Community trade mark) and the protection of software, through copyright, the Council has now adopted a regulation concerning the creation of a supplementary protection certificate for medicinal products. Apart from measures creating a Community right for new plant varieties, the only proposal still under discussion concerns protection of biotechnology products, where the technical problems encountered (harmonization of criteria for the patentability of inventions) relate to living matter and to the extent of the protection conferred by a patent. Until Parliament gives its opinion, which has been expected for three years, the Council is unable to act.

120. On the other hand, the Council - or the Member States in the case of the patent - are not currently in a position to introduce a Community trade mark and patent, for reasons of principle or procedure independent of the nature of the subject matter:

- in the hope that a decision might be taken at the Edinburgh European Council on the headquarters of the Trade Mark Office, the Council is

striving to resolve the outstanding problems concerning appeals against decisions taken by the Office, its budget and its working languages;

with regard to the Community patent, which is dealt with in a draft Convention, opposition from Spain meant that an intergovernmental conference held in Lisbon in May was not able to adopt a protocol on the entry into force of the Convention in fewer than Twelve Member States. Since constitutional problems in Ireland were overcome by the referendum held there in June and since only a 5/6ths majority would be needed in the Danish Parliament for ratification, there is nothing to prevent the Convention being ratified by the twelve Member States. This matter now depends on the position being taken by the Danish Parliament.

121. Following the publication by the Commission in 1988 of the Green Paper on copyright and technological challenge, the Council adopted on 14 May 1991 a directive concerning protection of computer software, as well as a common position, on 18 June 1992, concerning a proposal for a directive on rental right and lending right and on certain rights related to copyright in the field of intellectual property. The Commission presented further proposals at the beginning of 1992 relating to, in particular, the duration of protection and on databanks, in accordance with the programme which gives effect to the recommendations of the Green Paper. In carrying out this same work programme, a certain number of problems have still to be examined.

122. The expansion of all forms of business cooperation and administrative cooperation are leading to an increase in the amount of information being exchanged. Differences in national approaches to the protection of individuals in relation to the processing of personal data are making for delicate relations between or within enterprises to the extent that these disparities may lead a Member State to apply its own rules by invoking the lack of inadequacy of protection in the Member State of origin or destination. To counter this problem, which was not dealt with in the White Paper but which has been brought to light by the degree of business integration and the intensification of intra-business relations, the Commission unveiled in 1990 a package of proposals on which Parliament gave its opinion. The Council has already adopted, on 31 March 1991, the decision on the security of information systems.

III. REMOVAL OF TAX BARRIERS

123. All the fundamental decisions have been adopted by the Council on the abolition of border controls. There remain some reservations in the Council on the agreement reached on 27 July on the directives concerning the approximation of the rates of VAT and excise duties. Finally, the Commission will present between now and the end of September two additional proposals on the transport of passengers and on gold. The Commission is also engaged in the setting up of the cooperation between the tax authorities and in the monitoring of the implementation by the Member States of the directives on the circulation of products subject to VAT and excise duties.

(a) Progress to date

124. Important steps were taken by the Council when it adopted at the end of 1991 the transitional arrangements governing VAT and at the start of 1992 the regulation on administrative cooperation in the field of indirect taxation and the directive on general arrangements for products subject to excise duties. The basic legislation necessary to ensure the abolition of frontier controls by the end of 1992 is thus in place.

125. This progress is sufficient to cover all the consequences of the abolition of internal border controls but they have to be completed by other elements:

- the priority task must still be to ensure that Community legislation is formally adopted on the approximation of VAT and excise duty rates and on the harmonization of the structures of excise duties. At its meeting of 27 July 1992, the Ecofin Council reached virtually unanimous agreement on the directives in question, with Spain and France reserving their positions on certain aspects of the overall compromise. In the area of excise duties, the proposals on the structures of duties on mineral oils and alcoholic beverages must be adopted without fail if there is to be a common approach to the taxation of these products and if the new arrangements applicable to the movement of products subject to excise duties are to operate satisfactorily. The Commission considers that top priority should therefore be given to completion of this work through adoption of the relevant legal instruments at the earliest opportunity. Any failure can only lead to serious disturbances when the new tax arrangements enter into force on 1 January 1993;

- in addition to these proposals on rates, two other fields require urgent action by the Council:

- (i) the Council must adopt the arrangements concerning the tax treatment of second-hand goods, works of art, collectors' items and antiques; the Commission proposal has been the subject of important discussions which point to possible adoption in the autumn. The adoption of this proposal will ensure that the changeover to the new VAT arrangements on 1 January 1993 will occur without any risk of distortion due to differences in the tax treatment of transactions between Member States involving such items;
- (ii) when the transitional VAT arrangements were adopted in December 1991, the Council undertook to adopt in good time, on the basis of proposals from the Commission, rules on the tax treatment of gold and passenger transport. These proposals will be presented in September.

126. When the transitional VAT regime was adopted, the Commission undertook to present a proposal amending the eighteenth VAT directive in order to ensure the abolition of derogations which were based on the sixth directive and which might give rise to distortions after 1 January 1993. This proposal was recently made by the Commission (COM(92)215 final of 2 July 1992).

(b) Implementation

127. The success marked by the adoption of the rules governing the movement of goods subject to VAT and excise duties must not obscure the difficulties involved in implementation:

- the determination to preserve a wide measure of discretion in implementing these provisions so that the diversity of national circumstances can be taken into account creates the risk that differing interpretations may be placed on the directives. The Commission has therefore entered into a dialogue with the Member States in an attempt to agree on a consistent interpretation of these rules: the committees which have been set up will be responsible not only for helping the Commission adapt the legislation already in place but also for reaching a common interpretation of these new provisions. This work is all the more important since all the Member States will be bound

individually by the independent interpretation which any one of them places on this legislation. These new tasks mean the Commission has additional management responsibilities which will have to accommodate the political objectives inherent in all tax rules;

- in this field more than in any other, the simultaneous entry into force of the transposition measures is essential in order to avoid any shortcomings in the collection, control and data-exchange systems;
- the late adoption of these new arrangements shortens significantly the time available for transposition and consultation. The upshot in all Member States in spite of the efforts of the Commission (publication of a vade-mecum on VAT without borders), is a lack of information for businesses and individuals, together with the risk that a number of Member States might be tempted to exploit the flexibility of these tax arrangements in order to retain or introduce formalities and checks on businesses which would deprive these measures of their intended effect.

128. The new rules concerning indirect taxation to be applied from 1st January 1993 represent for companies, and notably for the SMEs, substantial simplifications of the formalities in intra-Community trade. All the frontier controls will be abolished, in as far as they stem from notably the single administrative document (60 million forms a year). The notions of importation and exportation in intra-Community trade will be abolished as far as VAT is concerned.

- (i) from now on, once a vendor in another Member State has obtained the VAT identification number of his customer, he will only have to fulfil, after the event, the normal obligations to which he is periodically subject, adding a summary statement of his intra-Community sales;
- (ii) for the purchaser, his obligations will be limited to declaring, in the periodic return which he establishes to satisfy the domestic system, products acquired in intra-Community trade.

The obligations on companies in connection with commercial statistics will be significantly lightened for the largest firms and abolished or reduced to a strict minimum for SMEs.

129. The new arrangements will also have important implications for the structures and working practices of national administrations. This is particularly true of the implementation of administrative cooperation procedures. Although it is for each administration to take the necessary organizational measures, the Commission is responsible for ensuring that the system operates smoothly. That is why it is setting up with the Member States the computerized network SITE (Computerised System for VAT Exchanges) on which it has taken the initiative and ensured the essential financing, on the basis of the provisions of the regulation on administrative cooperation, but for which the Member States will have to ensure the functioning through the provision of sufficient resources.

ANNEXES

- Annex I** List of the initiatives and proposals adopted or partially adopted by the Commission and the Council in the context of the implementation of the White Paper on completing the Internal Market.
- Annex II** List of the White Paper proposals submitted by the Commission which still require Council adoption.
- Annex III** State of transposition into national laws of the White Paper measures which are already in force as well as measures entering into force by 1.1.93.
- Annex IV** State of transposition into national laws of the applicatory measures taken by the Commission or the Council in application of the White Paper measures. The list includes measures in force and those entering into force by 1.1.93 ; it covers only those measures requiring national implementing measures.
- Annex V** List of the decisions of the Court of Justice not complied with by the Member States for which an infringement procedure under Article 171 of the Treaty has been opened. This list covers only cases in the Internal Market field.
- Annex VI** State of ratification of the Intergovernmental Conventions.
- Annex VII** Graphical and statistical presentation by Member State of the state of transposition (annex III).
- Annex VIII** Graphical presentation showing the development of transposition by Member State, since September 1989.

**INITIATIVES AND PROPOSALS
CONTAINED IN THE WHITE PAPER PROGRAMME
ADOPTED BY COMMISSION AND COUNCIL**

The following list shows the proposals presented in the context of the implementation of the White Paper on completing the internal market and adopted or partially adopted by both the Commission and the Council. The numbers refer to the total number of decisions taken by the Council, including measures partially adopted, which will require a further Council decision.

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Part I :
Removal of physical barriers

I. CONTROLS ON GOODS

1. VARIOUS CONTROLS

Subject	Adoption date
1. Amendment to Directive 68/297/EEC on the standardization of provisions regarding the duty-free admission of fuel contained in the fuel tanks of commercial motor vehicles	ADOPTED 8.7.85 Dir. 85/347 (coaches) OJ L 183 of 16.7.85
	lorries : ADOPTED 25.2.92 with Dir. 92/12 OJ L 76 of 23.3.92
<u>COMMENTS</u> - Transposition : Dir. 85/347 : 1.10.85 Dir. 92/12 : 1.1.93	
NB - The provisions of Dir. 68/297 cease to apply on 31.12.92 (> Dir. 92/12)	
2. Introduction of Community export and import declaration forms : Single Administrative Document (SAD)	ADOPTED 8.7.85 Reg. 1900/85 and 1901/85 OJ L 179 of 11.7.85
<u>COMMENTS</u> - Implementation : 1.1.88 - Commission Reg. 2793/86 (OJ L 263 of 15.9.86) lays down the codes to be used on the forms introduced by Reg. 1900/85 - Reg. 1900/85 is repealed with effect from 1.1.93 by Reg. 717/91 (OJ L 78 of 26.3.91) concerning the Single Administrative Document - Reg. 1901/85 amends Reg. 222/77, repealed with effect from 1.1.93 by Reg. 2726/90 (OJ L 262 of 26.9.90) on Community transit	
3. Abolition of certain postal fees for customs presentation	ADOPTED 9.6.86 Reg. 1797/86 OJ L 157 of 12.6.86
<u>COMMENTS</u> - Implementation : 1.1.88 (derogation for E and P)	
4. Abolition of customs formalities on exit from a Member State at a frontier between two Member States	ADOPTED 1.12.86 Reg. 3690/86 OJ L 341 of 4.12.86 and 21.12.88 Reg. 4283/88 OJ L 382 of 31.12.88
<u>COMMENTS</u> Implementation : Reg. 3690/86 (TIR Convention) : 1.7.87 Reg. 4283/88 (introduction of common border posts "banalisation") : 1.7.89 - These two Regulations were repealed with effect from 1.2.92 by Reg. 3648/91 (OJ L 348 of 17.12.91) laying down the methods of using form 302 Reg. 1544/87 (OJ L 348 of 17.12.91) lays down detailed rules for the application of Reg. 3690/86 (entry into force : 1.7.98)	

Subject	Adoption date
5. Simplification of Community transit procedure : amendment to Reg. 222/77	ADOPTED 11.6.87 Reg. 1674/87 OJ L 157 of 17.6.87
<u>COMMENTS</u> - Implementation : 1.7.88 Reg. 222/77 is repealed with effect from 1.1.93 by Reg. 2726/90 (OJ L 262 of 26.9.90) on Community transit	
6. Elimination of controls performed at the frontiers of Member States in the field of road and inland waterway transport	ADOPTED 21.12.89 Reg. 4060/89 OJ L 390 of 30.12.89
<u>COMMENTS</u> - Implementation : 1.7.90 This Regulation was amended by Reg. 3356/91 (OJ L 318 of 20.11.91) with effect from 1.1.92	
7. Amendment, with a view to abolishing lodgement of the transit advice note on crossing an internal frontier of the Community, to Regulation 222/77	ADOPTED 22.2.90 Reg. 474/90 OJ L 51 of 27.2.90
<u>COMMENTS</u> - Implementation : 1.7.90 Reg. 222/77 is repealed with effect from 1.1.93 by Reg. 2726/90 (OJ L 262 of 26.9.90) on Community transit	
8. Community transit	ADOPTED 17.9.90 Reg. 2726/90 OJ L 262 of 26.9.90
<u>COMMENTS</u> - Entry into force : 29.9.90 - Implementation : 1.1.93 This Regulation repeals Reg. 222/77 on Community transit with effect from 1.1.93 Commission Reg. 1214/92 (OJ L 132 of 16.5.92) contains provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure - Implementation : 1.1.93	
9. Statistics relating to the trading of goods between Member States	ADOPTED 7.11.91 Reg. 3330/91 OJ L 316 of 16.11.91
<u>COMMENTS</u> - Implementation : 19.11.91 (Articles 1-9, 11(1) and 14-27 apply from 1.1.93) This Regulation repeals with effect from 1.1.93 Regs 2954/85 and 1736/75 (with regard to statistics relating to the trading of goods between Member States)	
10. Supervision and control of shipments of radioactive waste between Member States and into and out of the Community	ADOPTED 3.2.92 Dir. 92/3/Euratom OJ L 35 of 12.2.92
<u>COMMENTS</u> - Transposition : 1.1.94	

2. VETERINARY AND PLANT HEALTH CONTROLS

A. Veterinary controls

Subject	Adoption date
11. Health problems affecting intra-Community trade in fresh meat	ADOPTED 12.6.85 Dir. 85/323 and 85/324 OJ L 168 of 28.6.85
<p><u>COMMENTS</u> - Transposition : not yet fixed</p> <p>- Dir. 85/323 amends Dir. 64/433</p> <p>- Dir. 85/324 amends Dir. 71/118 and concerns poultrymeat ; it is replaced by Dir. 91/497 with effect from 1.1.93</p> <p><u>NB</u> - Dir. 91/497 is amended with effect from 1.1.93 by Dir. 92/5 (OJ L 57 of 2.3.92)</p>	
12. Medical examination of personnel (health problems affecting intra-Community trade in meat)	ADOPTED 12 and 20.6.85 Dir. 85/325, 85/326 and 85/327 OJ L 168 of 28.6.85
<p><u>COMMENTS</u> - Transposition : 1.1.86</p> <p>- Dir. 85/325 amends Dir. 64/433 (fresh meat)</p> <p>- Dir. 85/326 amends Dir. 71/118 (fresh poultrymeat)</p> <p>- Dir. 85/327 amends Dir. 77/99 (meat products)</p>	
13. Swine fever	ADOPTED 12.6.85 Dir. 85/320, 85/321 and 85/322 OJ L 168 of 28.6.85
<p><u>COMMENTS</u> - Transposition : 1.1.86</p> <p>- Dir. 85/320 amends Dir. 64/432 (classical and African swine fever)</p> <p>- Dir. 85/321 amends Dir. 80/215 (African swine fever)</p> <p>- Dir. 85/322 amends Dir. 72/461 (classical and African swine fever)</p>	
14. Hormone growth promoters (ban on certain substances)	ADOPTED 16.7.85 Dir. 85/358 OJ L 191 of 23.7.85 and 31.12.85 Dir. 85/649 OJ L 382 of 31.12.85
<p><u>COMMENTS</u> - Transposition : Dir. 85/358 : 1.1.87 Dir. 85/649 : 1.1.88</p> <p>- Dir. 85/358 supplements Dir. 81/602 (certain substances having a hormonal action and any substances having a thyrostatic action) and was amended with effect from 1.1.86 by Reg. 3768/85 (OJ L 362 of 31.12.85)</p> <p>It was implemented by :</p> <p>. Art. 5 : Dec. 87/410 (OJ L 223 of 11.8.87)</p> <p>. Art. 6 : Dec. 89/153 (OJ L 59 of 2.3.89)</p> <p>. Art. 8 : Dec. 89/358 (OJ L 151 of 3.6.89)</p> <p>- Dir. 88/146 replaces Dir. 85/649 in accordance with the Court of Justice ruling of March 1988 on hormones (transposition : idem 85/649)</p>	

Subject	Adoption date
15. Health and animal health problems affecting intra-Community trade in heat-treated milk	ADOPTED 5.8.85 Dir. 85/397 OJ L 226 of 24.8.85 and OJ L 151 of 3.6.89 (corrigendum)
<u>COMMENTS</u> - Transposition : 1.1.89 This Directive was amended by : <ul style="list-style-type: none">- Reg. 3768/85 (OJ L 362 of 31.12.85) as regards the voting procedure of the committees with effect from 1.1.86- Dir. 89/662 (OJ L 395 of 30.12.89) on 1.7.92 It was implemented by : <ul style="list-style-type: none">- Art. 5(3) : Dec. 89/610 (OJ L 351 of 2.12.89)- Art. 11(4) : Dir. 89/362 (OJ L 156 of 8.6.89) with effect from 1.1.90- Art. 11(6) : Dir. 89/384 (OJ L 181 of 28.6.89) with effect from 1.7.90 <u>NB</u> - Recognition of the application of the microbiological standards for the second stage laid down by Dir. 85/397 : <ul style="list-style-type: none">- DK : Dec. 89/159 (OJ L 59 of 2.3.89)- UK : Dec. 89/165 (OJ L 61 of 4.3.89)	
16. Control of foot-and-mouth disease	ADOPTED 18.11.85 Dir. 85/511 OJ L 315 of 26.11.85 and OJ L 14 of 18.1.86 OJ L 296 of 27.10.90 (corrigendum)
<u>COMMENTS</u> - Transposition : 1.1.87 - This directive was amended with effect from 1.1.92 by Dir. 90/423 (OJ L 224 of 18.8.90) ; its Annexes were replaced by the Annex to Dec. 92/380 (OJ L 198 of 17.7.92) - It was implemented by : <ul style="list-style-type: none">. Art. 6(1) : Dec. 88/397 (OJ L 189 of 20.7.88) with effect from 13.7.88. Art. 14 : Decs. 91/665 (OJ L 368 of 31.12.91) and 91/666 (OJ L 369 of 31.12.91)	
17. Examination of animals and fresh meat for the presence of antibiotic residues	ADOPTED 16.9.86 Dir. 86/469 OJ L 275 of 24.9.86
<u>COMMENTS</u> - Transposition : 1.4.87 (Arts. 3 and 4), 31.12.87 (Arts. 5, 11 and 12) and 31.12.88 (all other Articles) Implemented by : <ul style="list-style-type: none">- Art. 8 : Dec. 89/187 (OJ L 66 of 10.3.89) with effect from 10.3.89- Art. 8(2) : dec. 91/664 (OJ L 368 of 31.12.91)	
18. Examination of animals and fresh meat for the presence of residues	ADOPTED 16.9.86 Dir. 86/469 OJ L 275 of 24.9.86
<u>COMMENTS</u> - Ditto point 17 above	

Subject	Adoption date
19. Community financial measures for the eradication of African swine fever in Portugal	ADOPTED 16.12.86 Dec. 86/649 OJ L 382 of 31.12.86
<p><u>COMMENTS</u> - Implementation : 16.12.86</p> <ul style="list-style-type: none"> - Commission Decision 87/526 (OJ L 306 of 28.10.87) approved the reinforced plan for the eradication of African swine fever (presented by Portugal) - Dec. 89/577 (OJ L 322 of 7.11.89) (supplementary aid plan) amended Dec. 86/649 - Dec. 90/345 (OJ L 170 of 3.7.90) amended Dec. 89/577 with effect from 26.6.90 	
20. Community financial measures for the eradication of African swine fever in Spain	ADOPTED 16.12.86 Dec. 86/650 OJ L 382 of 31.12.86
<p><u>COMMENTS</u> - Implementation : 16.12.86</p> <p>Commission Decision 87/269 (OJ L 132 of 21.5.87) approved the reinforced plan presented by Spain for the eradication of African swine fever</p>	
21. Supplementary Community measures for the eradication of brucellosis, tuberculosis and leucosis in cattle	ADOPTED 22.12.86 Dec. 87/58 OJ L 24 of 27.1.87 and OJ L 32 of 3.2.87 (corrigendum)
<u>COMMENTS</u> - Compulsory implementation only in E and P : 22.12.86	
- Amendment to Directives 72/461 on health problems affecting intra-Community trade in fresh meat and 72/462 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries	ADOPTED 30.12.86 Dir. 87/64 OJ L 34 of 5.2.87
<p><u>COMMENTS</u> - Transposition : 1.1.88</p> <p>In accordance with a judgment of the European Court of Justice (Case 131/87 of 16.11.89), Dir. 91/266 (OJ L 134 of 29.5.91) replaced Dir. 87/64 with effect from 1.1.88</p>	
22. Eradication of swine fever in the Community as a whole	ADOPTED 7.4.87 Decs 87/230 and 87/231 OJ L 99 of 11.4.87 <u>Four other instruments adopted :</u> Dirc 87/486, 87/487 and 87/489, Dec. 87/488 adopted 22.9.87 OJ L 280 of 3.10.87
<p><u>COMMENTS</u></p> <p>Dec. 87/230 : implementation : 1.1.87 - amends Dir. 80/1095 and Decs 80/1096 and 82/18 (duration and the financial means of measures for the eradication of classical swine fever)</p> <p>Dec. 87/231 : implementation : 31.12.87 - amends Dirc 64/432 and 72/461</p> <p>Dir. 87/486 : transposition : 31.12.87 - amends Dir. 80/217 (control of classical swine fever)</p> <p>Dir. 87/487 : transposition : 22.9.87 - amends Dir. 80/1095 (conditions designed to render and keep the territory of the Community free from classical swine fever)</p>	

Subject	Adoption date
(contin.)	
<i>Dec. 87/488 - amends Dec. 80/1096 (Community financial measures for the eradication of classical swine fever)</i>	
<i>Dir. 87/489 : transposition : 31.12.88 - amends Dirs 64/432 and 72/461</i>	
NB -	
<i>Taken on the basis of Dir. 80/1095, Dec. 81/400 (amended by Dir. 86/291 - OJ L 182 of 5.7.86) establishes the status of Member States as regards classical swine fever.</i>	
<i>The following Member States are recognized as <u>being free</u> from swine fever :</i>	
<i>DK, IRL, L, UK (Dec. 81/400 - OJ L 152 of 11.6.81)</i>	
<i>EL (Dec. 90/251 - OJ L 143 of 6.6.90)</i>	
<i>E (Dec. 89/420 - OJ L 192 of 7.7.89)</i>	
<i>NL (Dec. 89/473 - OJ L 233 of 10.8.89)</i>	
<i>P (Dec. 91/378 - OJ L 203 of 26.7.91)</i>	
<i>B (Dec. 92/47 - OJ L 19 of 28.1.92)</i>	
<i>The following Member States are recognized as <u>being partially free</u> from swine fever :</i>	
<i>D (Dec. 90/678 - OJ L 373 of 31.12.90)</i>	
<i>F (Dec. 90/678 - OJ L 373 of 31.12.90)</i>	
<i>Dec. 89/80 (OJ L 30 of 1.2.89) approves the sixth amendment to the plan for the accelerated eradication of classical swine fever submitted by Italy</i>	
23. Acceptance for breeding purposes of pure-bred breeding animals of the bovine species	ADOPTED 18.6.87 Dir. 87/328 OJ L 167/87 of 20.6.87 <u>and</u> OJ L 192 of 11.7.87 (corrigendum)
COMMENTS - Transposition : 1.1.89 (derogation for E and P : 1.1.92)	
24. Amendment to Directive 80/215 on animal health problems affecting intra-Community trade in meat products	ADOPTED 22.9.87 Dir. 87/491 OJ L 279 of 2.10.87
COMMENTS - Transposition : 1.1.88	
25. Amendment to Directive 64/433 on health problems affecting intra-Community trade in fresh meat	ADOPTED 3.5.88 Dir. 88/288 OJ L 124 of 18.5.88
COMMENTS - Transposition : 1.1.89	
26. Amendment to Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries	ADOPTED 3.5.88 Dir. 88/289 OJ L 124 of 18.5.88
COMMENTS - Transposition : 1.1.89	
27. Animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine and porcine species	ADOPTED 13.6.88 Dir. 88/407 OJ L 194 of 22.7.88 <u>and</u> 26.6.90 Dir. 90/429 OJ L 224 of 18.8.90

Subject	Adoption date
(contin.)	
<p><u>COMMENTS</u> - Transposition : Dir. 88/407 (bovine species) : 1.1.90 Dir. 90/429 (porcine species) : 31.12.91</p>	
<p>Dir. 88/407 was amended by : - Dir. 90/120 (OJ L 71 of 17.3.90) with effect from 1.4.90 - Dir. 90/425 (OJ L 224 of 18.8.90) with effect from 1.7.92 It was implemented by : - Art. 8 : Dec. 90/14 (OJ L 8 of 11.1.90) - Art. 9 : Dec. 92/255 (OJ L 128 of 14.5.92) - Art. 10 : Dec. 91/277 (OJ L 135 of 30.5.91) - Arts. 10, 11 : Decs. 91/479 (OJ L 258 of 16.9.91) and 91/549 (OJ L 298 of 29.10.91)</p>	
<p>28. Requirements for the production of, and trade in, minced meat, meat in pieces of less than 100 grams and meat preparations (amendment to Directives 64/433/EEC, 71/118/EEC and 72/462/EEC)</p>	<p>ADOPTED 13.12.88 Dir. 88/657 OJ L 382 of 31.12.88</p>
<p><u>COMMENTS</u> - Transposition : 1.1.92 This Directive was amended by Dir. 89/662 (OJ L 395 of 30.12.89) with effect from 1.7.92</p>	
<p>29. Amendment to Directive 77/99/EEC on health problems affecting intra-Community trade in meat products</p>	<p>ADOPTED 13.12.88 Dir. 88/658 OJ L 382 of 31.12.88</p>
<p><u>COMMENTS</u> - Transposition : 1.7.90 (derogation for EL until 31.12.92 for the exception provided for in Art. 3(1)(9) of Dir. 77/99)</p>	
<p>30. Zootechnical standards applicable to breeding animals of the porcine species</p>	<p>ADOPTED 19.12.88 Dir. 88/661 OJ L 382 of 31.12.88</p>
<p><u>COMMENTS</u> - Transposition : 1.1.91 (derogation until 1.1.93 for P, with possibility of extension) Implemented by : - Art. 3 : Dec. 90/118 (OJ L 71 of 17.3.90) - Arts. 5, 6(1)(5) : Dec. 89/503 (OJ L 247 of 23.8.89) - Arts. 6(1)(1), 10(1)(1) : Dec. 89/507 (idem) - Art. 6(1)(3) : Dec. 89/502 (idem) - Art. 6(1)(4) : Dec. 89/501 (idem) - Art. 8 : Dec. 90/119 (OJ L 71 of 17.3.90) - Arts. 9, 10(1)(5) : Dec. 89/506 (OJ L 247 of 23.8.89) - Art. 10(1)(3) : Dec. 89/504 (idem) - Art. 10(1)(4) : Dec. 89/505 (idem)</p>	
<p>31. Community financial measure for the eradication of contagious bovine pleuropneumonia (CBPP) in Portugal</p>	<p>ADOPTED 20.2.89 Dec. 89/145 OJ L 53 of 25.2.89</p>
<p><u>COMMENTS</u> - By Decision 89/442 (OJ L 208 of 20.7.89), the Commission approved the reinforced plan for the eradication of contagious bovine pleuropneumonia submitted by Portugal (implementation : 1.3.89)</p>	

Subject	Adoption date
32. Amendment to Directives 72/462/EEC and 77/99/EEC to take account of the introduction of public health and animal health rules which are to govern imports of meat products from third countries	ADOPTED 21.3.89 Dir. 89/227 OJ L 93 of 6.4.89
<u>COMMENTS</u> - Transposition : 30.6.90	
33. Pure-bred breeding sheep and goats	ADOPTED 30.5.89 Dir. 89/361 OJ L 153 of 6.6.89
<u>COMMENTS</u> - Transposition : 1.1.91 <i>This Directive was implemented with effect from 1.1.91 by Decs. 90/254, 90/255, 90/256, 90/257 and 90/258 (OJ L 145 of 8.6.90)</i>	
34. Hygiene and health problems affecting the production and the placing on the market of egg products	ADOPTED 20.6.89 Dir. 89/437 OJ L 212 of 22.7.89
<u>COMMENTS</u> - Transposition : 31.12.91 <i>This Directive was amended by :</i> - Dir. 89/662 (OJ L 395 of 30.12.89) with effect from 1.7.92 - Dir. 91/684 (OJ L 376 of 31.12.91) with effect from 31.12.91	
35. Control of rabies with a view to its eradication or prevention	ADOPTED
- Community measures to set up pilot projects	24.7.89 Dec. 89/455 OJ L 223 of 2.8.89
- trade in of dogs and cats	and 13.07.92 with the "remnants" directive (not yet published in the OJ)
<u>COMMENTS</u> - <i>These measures apply for a period of three years. At the end of this period, the Commission will present to the Council a report on the results, if necessary accompanied by a proposal to continue the measures</i> <i>Approval of measures to set up pilot projects for 1992 :</i> - B : Dec. 92/307 (OJ L 162 of 16.6.92) - Implementation : 1.4.92 - D : Dec. 92/303 (idem) - F : Dec. 92/304 (idem) - I : Dec. 92/298 (idem) - L : Dec. 92/302 (idem)	
36. Animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species	ADOPTED 25.9.89 Dir. 89/556 OJ L 302 of 19.10.89
<u>COMMENTS</u> - Transposition : 1.1.91 <i>This Directive was amended by Dir. 90/425 (OJ L 224 of 18.8.90) with effect from 1.7.92 ; Article 7 was implemented by Dec. 91/270 (OJ L 134 of 29.5.91)</i>	

Subject	Adoption date
37. Mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of legislation on veterinary and zootechnical matters	ADOPTED 21.11.89 Dir. 89/608 OJ L 351 of 2.12.89
<u>COMMENTS</u> - Transposition : 1.7.91	
38. Veterinary checks in intra-Community trade with a view to completion of the internal market	ADOPTED 11.12.89 Dir. 89/662 OJ L 395 of 30.12.89 <u>and</u> OJ L 151 of 15.6.90 (corrigendum)
<u>COMMENTS</u> - Transposition : 1.7.92 - This Directive amends Dirs 64/432, 64/433, 71/118, 72/461, 72/462, 77/99, 80/215, 85/397, 88/657, 88/657 and 89/437 - It was amended by Dirs. 90/675 (OJ L 373 of 31.12.90) with effect from 31.12.91, 91/496 (OJ L 268 of 24.9.91 ; the date for transposition moves from 31.12.91 to 1.7.91 and the derogation of one year granted to EL is abolished) and 92/67 of 14.7.92) (not yet published in the OJ) with effect from 1.7.92 ; the <u>annexes</u> were amended by Dirs. 91/492, 91/493, 91/494 and 91/495 (OJ L 268 of 24.9.91) - Art. 9(4) was implemented by Dec. 91/654 (OJ L 350 of 19.12.91)	
39. Conditions governing the preparation, placing on the market and use of medicated feedstuffs in the Community	ADOPTED 26.3.90 Dir. 90/167 OJ L 92 of 7.4.90
<u>COMMENTS</u> - Transposition : 1.10.91 (except for Article 11(2) : 31.12.92)	
40. Financial aid from the Community for the eradication of African swine fever in Sardinia	ADOPTED 26.4.90 Dec. 90/217 OJ L 116 of 8.5.90
<u>COMMENTS</u> - Italy is required to draw up a new plan for the eradication of African swine fever in Sardinia (no time-limit for submission). Community financial assistance is to be granted for a period of five years from the date fixed by the Commission in its decision approving the plan	
41. Community financial measure for the eradication of brucellosis in sheep and goats	ADOPTED 21.5.90 Dec. 90/242 OJ L 140 of 1.6.90
<u>COMMENTS</u> - The Decision applies only to E, EL, F, I and P Commission decisions approving the respective plans are : - I : Dec. 91/421 (OJ L 232 of 21.8.91) - P : Dec. 91/217 (OJ L 97 of 18.4.91) - EL : Dec. 91/218 (idem) - E : Dec. 91/219 (idem) - F : Dec. 91/220 (idem) Community financial assistance is granted for a period of three years from the date of the Commission decision approving the respective plans	

Subject	Adoption date
42. Trade in equidae intended for competitions and conditions for participation therein	ADOPTED 26.6.90 Dir. 90/428 OJ L 224 of 18.8.90
<u>COMMENTS</u> - Transposition : 1.7.91 Dec. 92/216 (OJ L 104 of 22.4.92) lays down the implementing provisions for Art. 4 of this Directive	
43. Zootechnical and genealogical conditions governing intra-Community trade in equidae	ADOPTED 26.6.90 Dir. 90/427 OJ L 224 of 18.8.90
<u>COMMENTS</u> - Transposition : 1.7.91 Art. 4 was implemented by Decs. 92/353 and 92/354 (OJ L 192 of 11.7.92)	
44. Animal health conditions governing the movement and import from third countries of equidae	ADOPTED 26.6.90 Dir. 90/426 OJ L 224 of 18.8.90
<u>COMMENTS</u> - Transposition : 1.1.92 This Directive was amended by : - Dir. 90/425 (OJ L 224 of 18.8.90) with effect from 1.7.92 - Dir. 91/496 (OJ L 268 of 24.9.91) with effect from 1.7.92 - Dir. 92/36 (OJ L 157 of 10.6.92) with effect from 31.12.92 - Dec. 92/130 (OJ L 47 of 22.2.92) with effect from 1.3.92 It was implemented by : - Art. 4(2) : Dec. 92/216 (OJ L 104 of 22.4.92) - Art. 5(2) : Dec. 90/553 (OJ L 313 of 13.11.90) - Art. 5(3) : Decs. 91/93 (OJ L 50 of 23.2.91) and 92/101 (OJ L 39 of 15.2.92) - Art. 5(4) : Dir. 92/35 (OJ L 157 of 29.4.92) with effect from 31.12.92 and Dec. 90/552 (OJ L 313 of 13.11.90) - Art. 13(2) : Dec. 92/160 (OJ L 71 of 18.3.92)	
45. Community measures for the control of foot-and-mouth disease	ADOPTED 26.6.90 Dir. 90/423 OJ L 224 of 18.8.90
<u>COMMENTS</u> - Transposition : 1.1.92 This Directive amends : - Dir. 85/511 (control of foot-and-mouth disease) - Dir. 64/432 (trade in bovine animals and swine) - Dir. 72/462 (importation of bovine animals and swine and fresh meat or meat products) This Directive was implemented by Dec. 91/13 (OJ L 8 of 11.1.91), which was repealed by Dec. 92/105 (OJ L 41 of 18.2.92), and Dec. 91/42 (OJ L 23 of 29.1.91)	
46. Expenditure in the veterinary field	ADOPTED 26.6.90 Dec. 90/424 OJ L 224 of 18.8.90 and OJ L 304 of 1.11.90 (corrigendum)
<u>COMMENTS</u> - Implementation : 26.6.90 This Decision repealed Dec. 77/97 and was amended by : - Dec. 91/133 (OJ L 66 of 13.3.91) - Reg. 3763/91 (OJ L 356 of 24.12.91) with effect from 27.12.91 - Dec. 92/337 (OJ L 187 of 7.7.92)	

Subject	Adoption date
(contin.)	
<p><i>It was implemented by :</i></p> <ul style="list-style-type: none"> - Art. 3(4) : Decs. 91/8, 91/9 (OJ L 7 of 10.1.91), 91/46 (OJ L 23 of 29.1.91), 91/57 (OJ L 355 of 7.2.91), 91/70 (OJ L 39 of 13.2.91) and 91/644 (OJ L 348 of 17.12.91) - Arts. 3 and 4 : Dec. 91/416 (OJ L 231 of 20.8.91) - Art. 20 : Decs. 91/89 (OJ L 49 of 22.2.91), 91/242 (OJ L 114 of 7.5.91) and 92/1 (OJ L 1 of 4.1.92) - Art. 23(4) : Dec. 90/495 (OJ L 276 of 6.10.90) - Art. 24 : Decs. 92/299, 92/301 and 92/305 (OJ L 162 of 16.6.92) - Art. 24(2) : Dec. 90/638 (OJ L 347 of 12.12.90) - Art. 34 : Dec. 91/280 (OJ L 142 of 6.6.91) - Art. 36 : Decs. 91/90 (OJ L 49 of 22.2.91) and 91/447 (OJ L 239 of 28.8.91) - Art. 37 : Dec. 91/426 (OJ L 234 of 23.8.91), the detailed rules for the application of which are laid more down in Dec. 91/539 (OJ L 294 of 25.10.91) - Art. 43(1) : Decs. 91/330 and 91/331 (OJ L 178 of 6.7.91) 	
47. Veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market	ADOPTED 26.6.90 Dir. 90/425 OJ L 224 of 18.8.90
<p>COMMENTS - Transposition : 1.7.92 <i>This Directive amended Dirs. 64/432, 72/462, 88/407, 89/227, 89/556 and 90/426, and was amended by :</i></p> <ul style="list-style-type: none"> - Dir. 90/675 (OJ L 373 of 31.12.90) with effect from 31.12.90 - Dir. 91/496 (OJ L 268 of 24.9.91) with effect from 1.7.92 (except Arts 6(3), 13, 18 and 21 with effect from 1.12.91) - Dir. 91/628 (OJ L 340 of 11.12.91) with effect from 1.1.93 <p><i>The annexes to the Directive were amended by :</i></p> <ul style="list-style-type: none"> - Dir. 90/539 (OJ L 303 of 31.10.90) - Dir. 90/667 (OJ L 363 of 27.12.90) - Dirs. 91/67 and 91/68 (OJ L 46 of 19.2.91) - Dir. 91/174 (OJ L 85 of 5.4.91) - Dir. 91/628 (OJ L 340 of 11.12.91) <p><i>The Directive was implemented by :</i></p> <ul style="list-style-type: none"> - Art. 10 : Decs. 91/52 (OJ L 34 of 6.2.91) and 91/56 (OJ L 35 of 7.2.91) - Art. 10(4) : Dec. 91/105 (OJ L 56 of 2.3.91), repealed by Dec. 91/237 (OJ L 106 of 26.4.91), which was in turn repealed by Dec. 92/188 (OJ L 87 of 2.4.92) - Art. 20(3) : Decs. 91/398 (OJ L 221 of 9.8.91), 91/426 (OJ L 234 of 23.8.91), 91/539 (OJ L 294 of 25.10.91), 91/585 (OJ L 314 of 15.11.91), 91/637 and 91/638 (OJ L 343 of 13.12.91), 92/175 and 92/176 (OJ L 80 of 25.3.92) 	
48. Amendment of Directives 64/432/EEC and 72/461/EEC with regard to certain measures relating to foot-and-mouth disease, Aujeszky's disease and swine vesicular disease	ADOPTED 26.6.90 with Dir. 90/425 OJ L 224 of 18.8.90
<p>COMMENTS - See point 47 above NB - The powers regarding Aujeszky's disease and swine vesicular disease were conferred on the Commission by Directive 90/425/EEC.</p>	

Subject	Adoption date
<p>49. Community financial measure with a view to the eradication of infectious haemopoietic necrosis of salmonids in the Community</p> <p>COMMENTS - Member States were required to submit their eradication plans before 24 December 1990. Community financial assistance will be granted for a period of one year from the date fixed by the Commission in its decisions approving these plans.</p> <p>- Danish plan approved by Dec. 91/640 (OJ L 344 of 14.12.91) with effect from 1.1.91</p> <p>- Greek plan approved by Dec. 92/88 (OJ L 32 of 8.2.92) with effect from 1.12.91</p> <p>- French plan approved by Dec. 92/102 (OJ L 39 of 15.2.92) with effect from 1.2.92</p> <p>- Irish plan approved by Dec. 91/641 (OJ L 344 of 14.12.91) with effect from 1.10.91</p> <p>- Portuguese plan approved by Dec. 92/45 (OJ L 17 of 24.1.92) with effect from 1.11.91</p> <p>- United Kingdom plan approved by Dec. 92/46 (OJ L 17 of 24.1.92) with effect from 1.10.91</p>	<p>ADOPTED 24.9.90 Dec. 90/495 OJ L 276 of 6.10.90</p>
<p>50. Animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs</p> <p>COMMENTS - Transposition : 1.5.92 - This Directive was amended by :</p> <p>- Dir. 91/494 (OJ L 268 of 24.9.91) : the date of transposition was postponed from 1.1.92 to 1.5.92</p> <p>- Dir. 91/496 (OJ L 268 of 24.9.91) with effect from 1.7.92 (except Art. 6(3), 13, 18 and 21 : 1.12.91)</p> <p>- Dir. 92/369 (OJ L 195 of 14.7.92) : Annex III</p> <p>This Directive amends the annexes to Dir. 90/425 (OJ L 224 of 18.8.90)</p> <p>Approval of the programmes for authorizing establishments submitted by :</p> <p>- B : Dec. 92/379 (OJ L 198 of 17.7.92) - Implementation : 1.7.92</p> <p>- D : Dec. 92/342 (OJ L 188 of 8.7.92) - Implementation : 15.6.92</p> <p>- EL : Dec. 92/344 - idem</p> <p>- E : Dec. 92/345 (idem) - Implementation : 1.7.92</p> <p>- NL : Dec. 92/283 (OJ L 150 of 2.6.92) - Implementation : 1.5.92</p> <p>- P : Dec. 92/282 - idem</p> <p>- UK : Dec. 92/281 - idem</p> <p>Art. 12(2) of this Directive (Newcastle disease) was implemented by :</p> <p>- Dec. 91/552 (OJ L 298 of 29.10.91) : DK</p> <p>- Dec. 92/381 (OJ L 198 of 17.7.92) : UK (Northern Ireland)</p> <p>NB - The provisions of the Directive, in particular Art. 29, will be reviewed before 31.12.92 in the light of proposals concerning completion of the internal market</p>	<p>ADOPTED 15.10.90 Dir. 90/539 OJ L 303 of 31.10.90</p>
<p>51. Veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feedstuffs of animal or fish origin (amendment to Dir. 90/425)</p> <p>COMMENTS - Transposition : 31.12.91 (derogation for the German Länder of Mecklenburg-W. Pomerania, Brandenburg, Saxony-Anhalt, Saxony and Thuringia until 31.12.92)</p> <p>This Directive amends the annexes to Dir. 90/425 (OJ L 224 of 18.8.90)</p> <p>NB : Germany is required to submit a report on the animal waste disposal situation in those Länder by 30.6.92</p>	<p>ADOPTED 27.11.90 Dir. 90/667 OJ L 363 of 27.12.90</p>

Subject	Adoption date
52. Public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game meat	ADOPTED 27.11.90 Dir. 91/495 OJ L 268 of 24.9.91
<u>COMMENTS</u> - Transposition : 1.1.93 <i>This Directive amends the annexes to Dir. 89/662 (OJ L 395 of 30.12.89)</i>	
53. Animal health conditions governing the placing on the market of aquaculture animals and products	ADOPTED 28.1.91 Dir. 91/67 OJ L 46 of 19.2.91
<u>COMMENTS</u> - Transposition : 1.1.93 <i>This Directive amends the annexes to Dirs. 89/662 (OJ L 395 of 30.12.89) and 90/425 (OJ L 224 of 18.8.90)</i>	
54. Animal health conditions governing intra-Community trade in ovine and caprine animals	ADOPTED 28.1.91 Dir. 91/68 et 91/69 OJ L 46 of 12.2.91
<u>COMMENTS</u> - Transposition : 31.12.92 (except Art. 7 and 8 : two months after notification for Dir. 91/68) <i>- Dir. 91/68 amends the annexes to Dir. 90/425 (OJ L 224 of 18.8.90)</i> <i>- Dir. 91/69 amends Dir. 72/462 (OJ L 302 of 31.12.72)</i>	
55. Zootechnical and pedigree requirements for the marketing of pure-bred animals (amendment to Dirs. 77/504/EEC and 90/425/EEC)	ADOPTED 25.3.91 Dir. 91/174 OJ L 85 of 5.4.91
<u>COMMENTS</u> - Transposition : 1.1.92	
56. Health conditions for the production and placing on the market of live bivalve molluscs	ADOPTED 15.7.91 Dir. 91/492 OJ L 268 of 24.9.91
<u>COMMENTS</u> - Transposition : 1.1.93 <i>This Directive amends the annexes to Dir. 89/662 (OJ L 395 of 30.12.89)</i> <i>Art. 12 is implemented by Dec. 92/92 (OJ L 34 of 11.2.92)</i> <u>NB</u> - <i>The provisions of the Directive will be reviewed by the Council before 1.1.98</i>	
57. Animal health conditions governing intra-Community trade in and imports from third countries of fresh poultrymeat	ADOPTED 26.6.91 Dir. 91/494 OJ L 268 of 24.9.91
<u>COMMENTS</u> - Transposition : 1.5.92 <i>This Directive amends the annexes to Dir. 89/662 (OJ L 395 of 30.12.89) and the transposition date for Dir. 90/539 (OJ L 303 of 31.10.90)</i> <u>NB</u> - <i>The provisions of this Directive will be reviewed by the Council before 31.12.92</i>	
58. Health conditions for the production and the placing on the market of fishery products	ADOPTED 22.7.91 Dir. 91/493 OJ L 268 of 24.9.91
<u>COMMENTS</u> - Transposition : 1.1.93 <i>This Directive amends the annexes to Dir. 89/662 (OJ L 395 of 30.12.89)</i>	
59. Harmonization of health rules applicable to fish and fishery products - Nematodes	ADOPTED 22.7.91 within the framework of Dir. 91/493 (see above)

Subject	Adoption date
<p>60. Amendment and updating of Directive 64/433/EEC on health problems affecting intra-Community trade in fresh meat to be extended to the production and marketing of fresh meat, and amendment to Directive 72/462/EEC</p>	<p>ADOPTED 29.7.91 Dir. 91/497 OJ L 268 of 24.9.91</p>
<p>COMMENTS - Transposition : 1.1.93 (a number of derogations are authorized by Dir. 91/498 above)</p> <p><i>This Directive has been amended by Dir. 92/5 (OJ L 57 of 2.3.92) with effect from 1.1.93 (except regions recognized by Dirs 90/675 and 91/496 and some of the new German Länder : 1.1.95)</i></p> <p>NB - Dir. 64/433 was replaced by a new text entitled "health conditions for the production and marketing of fresh meat"</p>	
<p>61. Conditions for granting temporary and limited derogations from specific Community health rules on the production and marketing of fresh meat</p>	<p>PARTIALLY ADOPTED 29.7.91 Dir. 91/498 OJ L 268 of 24.9.91 <u>and</u> OJ L 79 of 19.3.92 (corrigendum)</p>
<p>COMMENTS - Transposition : 1.1.93, <u>except</u> for Art. 2(2) : 1.1.92 (derogations for D and EL)</p> <p><i>This Directive amends Art. 2 of Dir. 88/409 (OJ L 194 of 22.7.1988)</i></p>	
<p>62. Protection of animals during transport (amendment to Dirs. 90/425/EEC and 91/496/EEC)</p>	<p>ADOPTED 19.11.91 Dir. 91/628 OJ L 340 of 11.12.91</p>
<p>COMMENTS - Transposition : 1.1.93</p> <p><i>This Directive repeals Dirs. 77/489 and 81/389 and amends Dir. 90/425 (OJ L 224 of 18.8.90)</i></p>	
<p>63. Health rules applicable to the production and placing on the market of rendered animal fats, greaves and by-products of rendering intended for human consumption</p>	<p>ADOPTED 10.2.92 Dir. 92/5 OJ L 57 of 2.3.92</p>
<p>COMMENTS - Transposition : 1.1.93 (derogation for the regions defined in Art. 17 of Dir. 90/675 and in Art. 13 of Dir. 91/496 and for the establishments in the new Länder covered by restructuring plans : 1.1.95)</p>	
<p>64. General health rules applicable to the production and placing on the market of products of animal origin and specific health rules applicable to certain products of animal origin</p>	<p>ADOPTED 10.2.92 Dir. 92/5 OJ L 57 of 2.3.92</p>
<p>COMMENTS - See point 63 above</p>	
<p>65. Health rules governing the production and placing on the market of meat products</p>	<p>ADOPTED 10.2.92 Dir. 92/5 OJ L 57 of 2.3.92</p>
<p>COMMENTS - See point 63 above</p>	

Subject	Adoption date
66. Qualifications of the personnel responsible for carrying out health inspection, supervision and control tasks foreseen by Directive 77/99/EEC on health problems affecting intra-Community trade in meat products <u>COMMENTS</u> - See point 63 above	ADOPTED 10.2.92 with Dir. 92/5 OJ L 57 of 2.3.92
67. Heat-treated drinking milk <u>COMMENTS</u> - /	ADOPTED 15.6.92 (not yet published in the OJ)
68. Harmonization of the health rules for the production and marketing of milk-bases products <u>COMMENTS</u> - /	ADOPTED 15.6.92 (not yet published in the OJ)
69. Animal health requirements for the placing on the market in the Community of rodents <u>COMMENTS</u> - See point 70 below	ADOPTED 13.7.92 with the "remnants" directive (not yet published in the OJ)
70. Animal health requirements for the placing on the market in the Community of animals and products of animal origin not covered in this respect by specific Community rules ("remnants" directive) <u>COMMENTS</u> - / <u>NB</u> - The question of pets still has to be settled by a separate proposal to be presented to the Council	ADOPTED 13.7.92 (not yet published in the OJ)
B. Plant health controls	
71. Amendment to Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products <u>COMMENTS</u> - Transposition : Dir. 85/574 : 1.1.87 Dir. 88/572 : 1.1.89 <u>NB</u> - The most recent amendments to the annexes to Dir. 77/93 are to be found in Dir. 92/10 (OJ L 70 of 17.3.92)	ADOPTED 19.12.85 Dir. 85/574 OJ L 372/85 of 31.12.85 and 14.11.88 Dir. 88/572 OJ L 313 of 19.11.88
72. Amendement to Directive 79/117/EEC on the prohibition of the placing on the market and use of plant protection products containing certain active substances <u>COMMENTS</u> - Transposition : 1.7.87 This Directive was replaced with effect from 31.12.89 by Dir. 89/365 (OJ L 159 of 10.6.89)	ADOPTED 21.7.86 Dir. 86/355 OJ L 212 of 2.8.86

Subject	Adoption date
73. Fixing of maximum levels for pesticide residues	ADOPTED 24.7.86 Dir. 86/362 and 86/363 OJ L 221 of 7.8.86
<p><u>COMMENTS</u> - Transposition : 30.6.88</p> <p>- Dir. 86/362 relates to cereals and was amended on 13.12.90 by Dir. 90/654 (OJ L 353 of 17.12.90) ; its annexes were amended by Dir. 88/298 (OJ L 126 of 20.5.88) with effect from 1.7.88 for captafol, captane and folpet and with effect from 1.1.89 for other pesticides</p> <p>- Dir. 86/363 concerns foodstuffs of animal origin</p>	
74. Fixing guidelines for the assessment of additives in animal nutrition	ADOPTED 16.2.87 Dir. 87/153 OJ L 64 of 7.3.87
<u>COMMENTS</u> - Transposition : 31.12.87	
- Amendement to Directive 74/63/EEC on undesirable substances and products in animal nutrition	ADOPTED 19.10.87 Dir. 87/519 OJ L 304 of 27.10.87
<p><u>COMMENTS</u> - Implementation : 31.12.90</p> <p>This Directive was annulled by the European Court of Justice on 16.11.89 (Case 11/88) and was replaced by Dir. 91/132 (OJ L 66 of 13.3.91) with effect from 1.8.91</p>	
75. Amendment to Directive 66/403/EEC on the marketing of seed potatoes	ADOPTED 30.5.89 Dir. 89/366 OJ L 159 of 10.6.89
<u>COMMENTS</u> - Transposition : 31.3.89 (< Dir. 66/403)	
76. Amendment to Directives 66/400, 66/401, 66/402, 69/208, 70/457 and 70/458/EEC on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes, seed of oil and fibre plants and vegetable seed and on the common catalogue of varieties of agricultural plant species	ADOPTED 13.6.88 Dir. 88/380 OJ L 187 of 16.7.88
<u>COMMENTS</u> - Transposition : 1.7.90	
<u>Except</u>	
Art. 3(11) and 7(9) :	1.7.82
Art. 3(12) :	1.1.83
Art. 6(5) and (6), and 7(6) and (10) :	1.1.86
Art. 2(8), (10), (17), (20), (28), 3(18), (20), (31), (37), 5(10), (12), (19), (23), (25) and 7(18) :	1.7.92
77. Amendment to Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products	ADOPTED 26.6.89 Dir. 89/439 OJ L 212 of 22.7.89 and 26.3.90 Dir. 90/168 OJ L 92 of 7.4.90
<p><u>COMMENTS</u> - Transposition : Dir. 89/439 : 1.1.90</p> <p>Dir. 90/168 : 1.1.91</p>	

Subject	Adoption date
92. Control of the acquisition and possession of weapons	ADOPTED 18.6.91 Dir. 91/477 OJ L 256 of 13.9.91

COMMENTS - Transposition : 1.1.93

93. First amendment to Directive 83/182/EEC concerning the temporary importation of certain means of transport (motor vehicles)	Proposal adopted as part of the common system of VAT (ECOFIN of 16.12.91)
<u>NB</u> - The provisions of Dir. 83/182 relating to VAT cease to apply on 31.12.92 (> Dir. 91/680 - OJ L 376 of 31.12.91)	

Part II :

Removal of technical barriers

I. FREE MOVEMENT OF GOODS

1. NEW APPROACH TO TECHNICAL HARMONIZATION AND STANDARDS

94. Simple pressure vessels	ADOPTED 25.6.87 Dir. 87/404 OJ L 220 of 8.8.87
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COMMENTS - Transposition : 1.1.90 - Implementation : 1.7.90
This Directive was amended by Dir. 90/488 (OJ L 270 of 17.9.90) with effect from 1.7.91

95. Amendment to Directive 83/189/EEC laying down a procedure for the provision of information in the field of technical standards and regulations	ADOPTED 22.3.88 Dir. 88/182 OJ L 81 of 26.3.88
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COMMENTS - Transposition : 1.1.89

96. Safety of toys	ADOPTED 3.5.88 Dir. 88/378 OJ L 187 of 16.7.88
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COMMENTS - Transposition : 30.6.89 - Implementation : 1.1.90

97. Electromagnetic compatibility	ADOPTED 3.5.89 Dir. 89/336 OJ L 139 of 23.5.89
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COMMENTS - Transposition : 1.7.91 - Implementation : 1.1.92
This Directive repealed Dirs. 76/889 and 76/890 with effect from 1.1.92 ; it was amended by Dir. 91/263 (OJ L 128 of 23.5.91) with effect from 6.11.92 and by Dir. 92/31 (OJ L 126 of 12.5.92) with effect from 12.7.92 (implementation : 12.11.92)

Subject	Adoption date
98. Machinery <u>COMMENTS</u> - Transposition : 1.1.92 - Implementation : 31.12.92 <i>This Directive was amended by Dir. 91/368 (OJ L 198 of 22.7.91) with effect from 1.1.92</i>	ADOPTED 14.6.89 Dir. 89/392 OJ L 183 of 29.6.89
99. Personal protective equipment <u>COMMENTS</u> - Transposition : 31.12.91 - Implementation : 1.7.92	ADOPTED 21.12.89 Dir. 89/686 OJ L 399 of 31.12.89
100. Active implantable medical devices <u>COMMENTS</u> - Transposition : 1.7.92 (optional application for the period from 31.12.92 to 31.12.94)	ADOPTED 20.6.90 Dir. 90/385 OJ L 189 of 20.7.90
101. Non-automatic weighing instruments <u>COMMENTS</u> - Transposition : 1.7.92 Implementation : 1.1.93 (ten-year transitional period as from date of implementation) <i>This Directive repeals Dir. 73/360</i>	ADOPTED 20.6.90 Dir. 90/384 OJ L 189 of 20.7.90
102. Gas appliances <u>COMMENTS</u> - Transposition : 1.7.91 Implementation : 1.1.92 (transitional period up to 31.12.95) <i>This Directive repeals Dirs. 84/530 and 84/531</i>	ADOPTED 26.6.90 Dir. 90/396 OJ L 196 of 26.7.90
103. Modules for the various phases of the conformity assessment procedures which are intended to be used in the technical harmonization directives <u>COMMENTS</u> - /	ADOPTED 13.12.90 Dec. 90/683 OJ L 380 of 31.12.90
104. Amendment to Directive 89/392/EEC on the approximation of the laws of the Member States relating to machinery <u>COMMENTS</u> - Transposition : 1.1.92 - Implementation : 1.1.93 <u>NB</u> - This Directive repeals with effect from 31.12.94 : - Art. 2 and 3 of Dir. 73/361 - Dir. 76/434 and with effect from 31.12.95 : - Dirs 86/295 and 86/296 (OJ L 186 of 8.7.86) - Dir. 86/663 (OJ L 384 of 31.12.86)	ADOPTED 20.6.91 Dir. 91/368 OJ L 198 of 22.7.91

2. SECTORAL APPROXIMATION OF LAWS

A. Motor vehicles

Subject	Adoption date
105. Type-approval of motor vehicles and their trailers (amendment to Dir. 70/156)	ADOPTED 25.6.87 Dir. 87/358 OJ L 192 of 11.7.87
<u>COMMENTS</u> - Transposition : 1.10.88	
106. Measures to be taken against air pollution by gases from the engines of motor vehicles	ADOPTED 3.12.87 Dir. 88/76 OJ L 36 of 9.2.88
<u>COMMENTS</u> - Transposition : 1.7.88 <i>The annexes to this Directive were replaced by Dir. 91/441 (OJ L 242 of 30.8.91) with effect from 1.1.92</i>	
107. Measures to be taken against the emission of gaseous pollutants from diesel engines for use in vehicles)	ADOPTED 3.12.87 Dir. 88/77 OJ L 36 of 9.2.88
<u>COMMENTS</u> - Transposition : 1.7.88 <i>This Directive was amended by Dir. 91/542 (OJ L 295 of 25.10.91) with effect from 1.1.92</i>	
108. Measures to be taken against air pollution by gases from engines of motor vehicles (restriction of particulate pollutant emissions from diesel engines)	ADOPTED 16.6.88 Dir. 88/436 OJ L 214 of 6.8.88
<u>COMMENTS</u> - Implementation : 1.10.88	
109. Permissible sound level and exhaust systems of motorcycles (amendment to Directive 78/1015/EEC)	ADOPTED 13.3.89 Dir. 89/235 OJ L 98 of 11.4.89
<u>COMMENTS</u> - Transposition and implementation : 1.10.89	
110. Lateral protection (side guards) of certain motor vehicles and trailers	ADOPTED 13.4.89 Dir. 89/297 OJ L 124 of 5.5.89
<u>COMMENTS</u> - Transposition : 30.10.89	
111. Measures to be taken against air pollution by emissions from motor vehicles (amendment with regard to European emission standards for cars below 1.4 litres to Directive 70/220/EEC)	ADOPTED 18.7.89 Dir. 89/458 OJ L 226 of 3.8.89
<u>COMMENTS</u> - Transposition : 1.1.90 NB - <i>The annexes to this Directive were replaced by those to Dir. 91/441 (OJ L 242 of 30.8.91) with effect from 1.1.92</i>	
112. Pneumatic tyres for motor vehicles and their trailers	ADOPTED 31.3.92 Dir. 92/23 OJ L 129 of 14.5.92
<u>COMMENTS</u> - Transposition : 1.7.92 ; implementation : 1.1.93	

Subject	Adoption date
113. Masses and dimensions of type-M ₁ motor vehicles	ADOPTED 31.3.92 Dir. 92/21 OJ L 129 of 14.5.92
<u>COMMENTS</u> - Transposition : 1.7.92 ; implementation : 1.10.92	
114. Safety glass and glazing materials for motor vehicles and their trailers	ADOPTED 31.3.92 Dir. 92/22 OJ L 129 of 14.5.92
<u>COMMENTS</u> - Transposition : 1.7.92 ; implementation : 1.10.92	
115. Amendment to Directive 70/156/EEC on the type-approval of motor vehicles and their trailers	ADOPTED 18.6.92 Dir. 92/53 OJ L 225 of 18.8.92
<u>COMMENTS</u> - Transposition : 31.12.92 ; implementation : 1.1.93	
B. Tractors and agricultural machines	
116. Rollover protection structures mounted in front of the driver's seat on narrow-track wheeled agricultural and forestry tractors	ADOPTED 25.6.87 Dir. 87/402 OJ L 220 of 8.8.87
<u>COMMENTS</u> - Transposition : 26.6.89 <i>The annexes to this Directive were amended with effect from 3.1.90 by Dir. 89/681 (OJ L 398 of 30.12.89)</i>	
117. Amendment to Directive 74/150/EEC relating to the type-approval of wheeled agricultural or forestry tractors	ADOPTED 3.5.88 Dir. 88/297 OJ L 126 of 20.5.88
<u>COMMENTS</u> - Transposition : 31.12.88	
118. Certain components and characteristics of wheeled agricultural or forestry tractors	ADOPTED 21.12.88 Dir. 89/173 OJ L 67 of 10.3.89
<u>COMMENTS</u> - Transposition : 31.12.89	
C. Foodstuffs	
119. Coffee extracts and chicory extracts (amendment to Directive 77/436/EEC)	ADOPTED 19.12.85 Dir. 85/573 OJ L 372 of 31.12.85
<u>COMMENTS</u> - Transposition : - 1.1.87 : authorization to trade in products that comply with the Directive - 1.7.88 : ban on trade in products that do not comply with the Directive	

Subject	Adoption date
120. List of simulants to be used for testing migration of constituents of plastic materials and articles intended to come into contact with foodstuffs	ADOPTED 19.12.85 Dir. 85/572 OJ L 372 of 31.12.85
<u>COMMENTS</u> - <i>Transposition (> 82/711 - OJ L 297 of 23.10.86) :</i> - 1.1.91 : authorization to trade in products that comply with the Directive - 1.1.93 : ban on trade in products that do not comply with the Directive	
121. Introduction of Community methods of sampling and analysis for the monitoring of foodstuffs intended for human consumption	ADOPTED 20.12.85 Dir. 85/591 OJ L 372 of 31.12.85
<u>COMMENTS</u> - <i>Transposition : 23.12.87</i>	
122. Preservatives authorized for use in foodstuffs intended for human consumption (amendment to Directive 64/54/EEC)	ADOPTED 20.12.85 Dir. 85/585 OJ L 372 of 31.12.85
<u>COMMENTS</u> - <i>Transposition : 31.12.86</i>	
123. Emulsifiers, stabilizers, thickeners and gelling agents for use in foodstuffs (fourth amendment to Directive 74/329/EEC)	ADOPTED 24.3.86 Dir. 86/102 OJ L 88 of 3.4.86
<u>COMMENTS</u> - <i>Transposition : 26.3.87 - Implementation : 26.3.88</i>	
124. Labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer (amendment to Directive 79/112/EEC)	ADOPTED 26.5.86 Dir. 86/197 OJ L 144 of 29.5.86
<u>COMMENTS</u> - <i>Transposition :</i> - 1.5.88 : authorization to trade in products that comply with the Directive - 1.5.89 : ban on trade in products that do not comply with the Directive	
125. Extraction solvents used in the production of foodstuffs and food ingredients	ADOPTED 13.6.88 Dir. 88/344 OJ L 157 of 24.6.88
<u>COMMENTS</u> - <i>Transposition : 13.6.91</i>	
126. Jams, jellies and marmalades and chestnut purée (amendment to Directive 79/693/EEC)	ADOPTED 18.11.88 Dir. 88/593 OJ L 318 of 25.11.88
<u>COMMENTS</u> - <i>Transposition :</i> - 31.12.89 : authorization to trade in products that comply with the Directive - 1.1.91 : ban on trade in products that do not comply with the Directive	
127. Flavourings for use in foodstuffs and source materials for their production	ADOPTED 22.6.88 Dir. 88/388 OJ L 184 of 15.7.88
<u>COMMENTS</u> - <i>Transposition : 22.12.89</i> - 22.6.90 : authorization to trade in products that comply with the Directive - 22.6.91 : ban on trade in products that do not comply with the Directive <i>This Directive was amended by Dir. 91/71 (OJ L 42 of 15.2.91) - Transposition :</i> - 30.6.92 : authorization to trade in products that comply with the Directive - 1.1.94 : ban on trade in products that do not not comply with the Directive	

Subject	Adoption date
128. Quick-frozen foodstuffs for human consumption	ADOPTED 21.12.88 Dir. 89/108 OJ L 40 of 11.2.89
<u>COMMENTS</u> - Transposition : - 10.7.90 : authorization to permit trade in products that comply with the Directive - 10.1.91 : ban on trade in products that do not comply with the Directive	
129. Additives authorized for use in foodstuffs intended for human consumption	ADOPTED 21.12.88 Dir. 89/107 OJ L 40 of 11.2.89
<u>COMMENTS</u> - Transposition : 28.6.90 - 28.12.90 : authorization to trade in, and to use, products that comply with the Directive - 28.12.91 : ban on trade in, and use of, products that do not comply with the Directive	
130. Materials and articles intended to come into contact with foodstuffs	ADOPTED 21.12.88 Dir. 89/109 OJ L 40 of 11.2.89
<u>COMMENTS</u> - Transposition : - 10.7.90 : authorization to trade in products that comply with the Directive - 10.1.92 : ban on trade in products that do not comply with the Directive This Directive repeals Dir. 76/893 (OJ L 302 of 15.11.85) <u>NB</u> - Dir. 90/128 (OJ L 75 of 21.3.90) is a specific directive relating to plastic to plastic materials and articles adopted on the basis of Dir. 89/109 ; it was amended by Dir. 92/39 (OJ L 168 of 23.6.92) - transposition : 31.12.92 - 31.3.94 : authorization to trade in products that comply with the Directive - 1.4.95 : ban on trade in products that do not comply with the Directive	
131. Foodstuffs for particular nutritional uses	ADOPTED 3.5.89 Dir. 89/398 OJ L 186 of 30.6.89
<u>COMMENTS</u> - Transposition : - 16.5.90 : authorization to trade in products that comply with the Directive - 16.5.91 : ban on trade in products that do not comply with the Directive This Directive repeals Dir. 77/94 (OJ L 26 of 31.1.77)	
132. General rules on the definition, description and presentation of spirit drinks	ADOPTED 30.5.89 Reg. 1576/89 OJ L 160 of 29.5.89
<u>COMMENTS</u> - Implementation : 15.12.89, <u>except</u> Art. 13-16 : 15.6.89 (transitional measures until 15.12.91) This Regulation was implemented by : - Art. 1(3)(h) : Reg. 2009/92 (OJ L 203 of 21.7.92) - Art. 1(4) : Reg. 1014/90 (OJ L 105 of 25.4.90) with effect from 1.5.90 and Reg. 3773/89 (OJ L 365 of 15.12.89) with effect from 15.12.89	
133. Official control of foodstuffs	ADOPTED 14.6.89 Dir. 89/397 OJ L 186 of 30.6.89
<u>COMMENTS</u> - Transposition : 20.6.90 - Implementation : 20.6.91	

Subject	Adoption date
134. Fruit juices and certain similar products (third amendment to Dir. 75/726/EEC)	ADOPTED 14.6.89 Dir. 89/394 OJ L 186 of 30.6.89
<u>COMMENTS</u> - <i>Transposition</i> : - 14.6.90 : authorization to trade in products that comply with the Directive - 14.6.91 : ban on trade in products that do not comply with the Directive	
135. Labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer (amendment to Directive 79/112/EEC)	ADOPTED 14.6.89 Dir. 89/395 OJ L 186 of 30.6.89
<u>COMMENTS</u> - <i>Transposition</i> : - 20.12.90 : authorization to trade in products that comply with the Directive - 20.6.92 : ban on trade in products that do not comply with the Directive	
136. Nutrition labelling for foodstuffs	ADOPTED 24.9.90 Dir. 90/496 OJ L 276 of 6.10.90
<u>COMMENTS</u> - <i>Transposition</i> : - 1.4.92 : authorization to trade in products that comply with the Directive - 1.10.93 : ban on trade in products that do not comply with the Directive	
D. Pharmaceuticals and high-technology medicines	
137. Placing on the market of high-technology medicinal products, particularly those derived from biotechnology	ADOPTED 22.12.86 Dir. 87/22 OJ L 15 of 17.1.87
<u>COMMENTS</u> - <i>Transposition</i> : 1.7.87	
138. Analytical, pharmaco-toxicological and clinical standards and protocols in respect of the testing of proprietary medicinal products (amendment to Directive 75/318/EEC)	ADOPTED 22.12.86 Dir. 87/19 OJ L 15 of 17.1.87
<u>COMMENTS</u> - <i>Transposition</i> : 1.7.87	
139. Analytical, pharmaco-toxicological and clinical standards and protocols in respect of the testing of veterinary medicinal products (amendment to Directive 81/852/EEC)	ADOPTED 22.12.86 Dir. 87/20 OJ L 15 of 17.1.87
<u>COMMENTS</u> - <i>Transposition</i> : 1.7.87	
140. Amendment to Directive 65/65/EEC concerning proprietary medicinal products	ADOPTED 22.12.86 Dir. 87/21 OJ L 15 of 17.1.87
<u>COMMENTS</u> - <i>Transposition</i> : 1.7.87 (derogations for EL, E and P : 1.1.92)	
141. Tests relating to the placing on the market of proprietary medicinal products	ADOPTED 9.2.87 Rec. 87/176 OJ L 73 of 16.3.87
<u>COMMENTS</u> - <i>Transposition not compulsory</i>	

Subject	Adoption date
142. Membership of the European Pharmacopoeia	ADOPTED 26.5.87
<u>COMMENTS</u> - This decision enabled a protocol to be signed in September 1989, whose ratification should lead to Community membership of the Pharmacopoeia by the end of 1992	
143. Transparency of measures regulating the pricing of medicinal products for human use and their inclusion in the scope of national health insurance systems	ADOPTED 21.12.88 Dir. 89/105 OJ L 40 of 11.2.89
<u>COMMENTS</u> - Transposition : 31.12.89	
144. Proprietary medicinal products (amendment to Dirs 65/65/EEC, 75/318/EEC and 75/319/EEC) [Dir. 89/341] <u>Extension of Directives 65/65 and 75/319 and additional provisions for :</u> - immunological medicinal products consisting of vaccines, toxins or serums and allergens [Dir. 89/342] - radiopharmaceuticals [Dir. 89/343] - medicinal products derived from human blood or human plasma [Dir. 89/381]	ADOPTED 3.5.89 Dir. 89/341, 89/342, 89/343 OJ L 142 of 25.5.89 and 14.6.89 Dir. 89/381 OJ L 181 of 28.6.89
<u>COMMENTS</u> - Transpositions : 1.1.92 (with progressive extension to existing medicinal products covered by each Directive by 31.12.92) Dir. 91/507 (OJ L 270 of 26.9.91) implements with effect from 1.1.92 (except for Art. 3(3) : 1.1.95) the provisions of : - Dir. 89/342 (Art. 5) - Dir. 89/343 (Art. 7) - Dir. 89/381 (Art. 6) Its Annex replaces the Annex to Dir. 75/318	
145. Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin	ADOPTED 25.6.90 Reg. 2377/90 OJ L 224 of 18.8.90
<u>COMMENTS</u> - Implementation : 1.1.92 Reg. 675/92 (OJ L 73 of 19.3.92) amended Annexes I and II to this Regulation and implemented Articles 7 and 8 - Implementation : 18.5.92 Reg. 762/92 implemented Article 11 of Reg. 2377/90 - Implementation : 28.3.92	
146. Amendment to Directive 81/851/EEC on veterinary medicinal products	ADOPTED 13.12.90 Dir. 90/676 OJ L 373 of 31.12.90
<u>COMMENTS</u> - Transposition : 1.1.92	
147. Extension of Directive 81/851/EEC on veterinary medicinal products and laying down additional provisions for immunological veterinary medicinal products	ADOPTED 13.12.90 Dir. 90/677 OJ L 373 of 31.12.90
<u>COMMENTS</u> - Transposition : 1.1.92 This Directive is implemented by : - Dir. 91/412 (OJ L 228 of 17.8.91) with effect from 23.7.93 - Dir. 92/18 (OJ L 97 of 10.4.92) with effect from 1.4.93 (Art. 5)	

Subject	Adoption date
148. Labelling of, and printed material accompanying, medicinal products for human use	ADOPTED 31.3.92 Dir. 92/27 OJ L 113 of 30.4.92
<u>COMMENTS</u> - Transposition : 1.1.93 - Implementation : 1.1.94 <u>NB</u> - This Directive repeals Art. 13 to 20 of Dir. 65/65 and Art. 6 and 7 of Dir. 75/319	
149. Legal status of authorization of medicinal products for human use	ADOPTED 31.3.92 Dir. 92/26 OJ L 113 of 30.4.92
<u>COMMENTS</u> - Transposition : 1.1.93	
150. Wholesale distribution of medicinal products for human use	ADOPTED 31.3.92 Dir. 92/25 OJ L 113 of 30.4.92
<u>COMMENTS</u> - Transposition : 1.1.93	
151. Advertising of medicinal products for human use	ADOPTED 31.3.92 Dir. 92/28 OJ L 113 of 30.4.92
<u>COMMENTS</u> - Transposition : 1.1.93	
E. Chemical products	
152. Restrictions on the marketing and use of certain dangerous substances and preparations (sixth amendment to Directive 76/769/EEC [PCBs, PCPs])	ADOPTED 1.10.85 Dir. 85/467 OJ L 269 of 11.10.85
<u>COMMENTS</u> - Transposition : 30.6.86	
153. Membership of the European Agreement on Detergents	ADOPTED 12.12.85
<u>COMMENTS</u> - This decision enables the Commission to commence negotiations for membership of the European Agreement on Detergents	
154. Restrictions on the marketing and use of certain dangerous substances and preparations (seventh amendment to Directive 76/769/EEC [asbestos])	ADOPTED 20.12.85 Dir. 85/610 OJ L 375 of 31.12.85
<u>COMMENTS</u> - Transposition : 31.12.87	
155. Detergents (second amendment to Directive 76/404)	ADOPTED 10.3.86 Dir. 86/94 OJ L 80 of 25.3.86
<u>COMMENTS</u> - Member States were authorized to maintain in force exceptions to the requirements laid down by Dir. 73/404 concerning certain non-ionic agents included in detergents (transposition : 22.5.75 > Dir. 73/404)	

Subject	Adoption date
156. Amendment to Directive 76/116/EEC in respect of fluid fertilizers	ADOPTED 22.3.88 Dir. 88/183 OJ L 83 of 28.3.88
<u>COMMENTS</u> - Transposition : 25.3.89	
157. Classification, packaging and labelling of dangerous preparations	ADOPTED 8.6.88 Dir. 88/379 OJ L 187 of 16.7.88
<u>COMMENTS</u> - Transposition : 7.6.91 <i>This Directive is amended with effect from 31.10.93 by Dir. 92/32 (OJ L 154 of 5.6.92) ; its annexes were amended with effect from 1.12.90 by Dir. 89/178 (OJ L 64 of 8.3.89) and with effect from 1.6.91 by Dir. 90/492 (OJ L 275 of 5.10.90)</i> <i>It was implemented by :</i> <i>- Art. 6 : Dir. 90/35 (OJ L 19 of 24.1.90) with effect from 31.12.90</i> <i>- Art. 6(2) and (3) : Dir. 91/442 (OJ L 238 of 27.8.91)</i> <i>- Art. 10 : Dir. 91/155 (OJ L 76 of 22.3.91) with effect from 8.6.91</i> <i>NB - Dirs 73/173 (OJ L 189 of 11.7.73) and 77/728 (OJ L 303 of 28.11.77) ceased to apply from 7.6.91</i>	
158. Supplement and amendment to Directive 76/116/EEC in respect of the calcium, magnesium, sodium and sulphur content of fertilizers	ADOPTED 13.4.89 Dir. 89/284 OJ L 111 of 22.4.89
<u>COMMENTS</u> - Transposition : 17.4.90	
159. Supplement and amendment to Directive 76/116/EEC in respect of the trace elements boron, cobalt copper, iron, manganese, molybdenum and zinc contained in fertilizers	ADOPTED 18.9.89 Dir. 89/530 OJ L 281 of 30.9.89
<u>COMMENTS</u> - Transposition : 18.3.91	
F. Construction et construction products	
160. Permissible sound power levels of tower cranes (amendment to Directive 84/534/EEC)	ADOPTED 25.6.87 Dir. 87/405 OJ L 220 of 8.8.87
<u>COMMENTS</u> - Transposition : 26.6.89	
161. Construction products	ADOPTED 21.12.88 Dir. 89/106 OJ L 40 of 11.2.89
<u>COMMENTS</u> - Transposition : 27.6.91	
G. Other items	
162. Tyre pressure gauges for motor vehicles	ADOPTED 26.5.86 Dir. 86/217 OJ L 152 of 6.6.86
<u>COMMENTS</u> - Transposition : 30.11.87	

Subject	Adoption date
163. Airborne noise emitted by household appliances	ADOPTED 1.12.86 Dir. 86/594 OJ L 344 of 6.12.86
<u>COMMENTS</u> - Transposition : 4.12.89	
164. Limitation of noise emitted by hydraulic excavators, rope-operated excavators, dozers, loaders and excavator-loaders	ADOPTED 22.12.86 Dir. 86/662 OJ L 384 of 31.12.86
<u>COMMENTS</u> - Transposition : 29.12.88 (noise levels to be adhered to 6 years after entry into force) Dir. 89/154 (OJ L 253 of 30.8.89) adapts this Directive to technical progress	
165. Protection of hotels against fire	ADOPTED 22.12.86 Rec. 86/666 OJ L 384 of 31.12.86
<u>COMMENTS</u> - Member States to report to the Commission by 22.12.88 all national measures taken in accordance with the Recommendation	
166. Products which, appearing to be other than they are, endanger the health or safety of consumers	ADOPTED 25.6.87 Dir. 87/357 OJ L 192 of 11.7.87
<u>COMMENTS</u> - Transposition : 26.6.89	
167. Permissible sound power level of lawn mowers (amendment to Directive 84/538/EEC)	ADOPTED 22.3.88 Dirs 88/180, 88/181 OJ L 81 of 26.3.88
<u>COMMENTS</u> - Transposition of both Directives : 1.7.91	
168. Consumer protection in the indication of prices on non-food products	ADOPTED 7.6.88 Dir. 88/314 OJ L 142 of 9.6.88
<u>COMMENTS</u> - Transposition : 7.6.90	
169. Consumer protection in the indication of the prices of foodstuffs	ADOPTED 7.6.88 Dir. 88/315 OJ L 142 of 9.6.88
<u>COMMENTS</u> - Transposition : 7.6.90	
170. Inspection and verification of good laboratory practice	ADOPTED 7.6.88 Dir. 88/320 OJ L 145 of 11.6.88
<u>COMMENTS</u> - Transposition : 1.1.89 The annexes to this Directive were replaced by Dir. 90/18 (OJ L 11 of 13.1.90) with effect from 1.7.90	
171. Cosmetic products (fourth amendment to Directive 76/768/EEC)	ADOPTED 21.12.88 Dir. 88/667 OJ L 382 of 31.12.88
<u>COMMENTS</u> - Transposition : 31.12.89 <u>NB</u> - The most recent directive adapting to technical progress the annexes to Dir. 76/768 is Dir. 92/8 (OJ L 70 of 17.3.92)	

II. PUBLIC PROCUREMENT

Subject	Adoption date
172. Amendment to Directive 77/62/EEC relating to the coordination of procedures on the award of public supply contracts and repealing certain provisions of Directive 80/767/EEC	ADOPTED 22.3.88 Dir. 88/295 OJ L 127 of 20.5.88
<u>COMMENTS</u> - Transposition : 1.1.89 (derogations for EL, E and P : 1.3.92)	
173. Amendment to Directive 71/305/EEC concerning coordination of procedures for the award of public works contracts	ADOPTED 18.7.89 Dir. 89/440 OJ L 210 of 21.7.89
<u>COMMENTS</u> - Transposition : 19.7.90 (derogations for EL, E and P : 1.3.92) Annex 1 to this Directive was updated on 19.7.90 by Dec. 90/380 (OJ L 187 of 19.7.90)	
174. Application of review procedures to the award of public supply and public works contracts	ADOPTED 21.12.89 Dir. 89/665 OJ L 395 of 30.12.89
<u>COMMENTS</u> - Transposition : 21.12.91 This Directive is amended with effect from 1.7.93 by Dir. 92/50 (OJ L 209 of 24.7.92)	
175. Procurement procedures of entities operating in the water, energy, transport and telecommunications sectors	ADOPTED 17.9.90 Dir. 90/531 OJ L 297 of 29.10.90
<u>COMMENTS</u> - Transposition : 1.7.92 Implementation : 1.1.93 (derogations for E : 1.1.96, for EL and P : 1.1.98) This Directive amends Dir. 77/62 (OJ L 13 of 15.1.77) and Dir. 71/305 (OJ L 185 of 16.8.71)	
176. Application of Community rules on the procurement procedures in the water, energy, transport and telecommunications sectors	ADOPTED 25.2.92 Dir. 92/13 OJ L 76 of 23.3.92
<u>COMMENTS</u> - Transposition and implementation : see point 175	
177. Public procurement : services	ADOPTED 18.6.92 Dir. 92/50 OJ L 204 of 24.7.92
<u>COMMENTS</u> - Transposition and implementation : 1.7.93 This Directive amends Art. 1 of Dir. 89/665 (OJ L 395 of 30.12.89)	

III. FREE MOVEMENT OF WORKERS AND MEMBERS OF THE LIBERAL PROFESSIONS

Subject	Adoption date
178. Comparability of vocational training qualifications between Member States	ADOPTED 16.7.85 Déc. 85/368 OJ L 199 of 31.7.85
<u>COMMENTS</u> - An interim report was published by the Commission in June 1990 and a Council Resolution adopted on 26.11.90 (OJ C 109 of 24.4.91) ; a Communication was published in implementation of Dec. 85/368 (OJ C 318 of 7.12.91) The Commission work programme for skilled workers in 19 sectors will be completed by the end of 1992	
179. Certain activities in the field of pharmacy	ADOPTED 16.9.85 Dir. 85/432 and Dec. 85/434 OJ L 253 of 24.9.85
<u>COMMENTS</u> - Transposition Dir. 85/432 : 1.10.87 <u>NB</u> - Dec. 85/434 established an Advisory Committee on Pharmaceutical Training	
180. Mutual recognition of diplomas, certificates and other evidence of formal qualifications in pharmacy, including measures to facilitate the effective exercise of the right of establishment relating to certain activities in the field of pharmacy	ADOPTED 16.9.85 Dir. 85/433 OJ L 253 of 24.9.85
<u>COMMENTS</u> - Transposition : 1.10.87 (derogation for EL) - This Directive was amended by Dir. 90/658 (OJ L 353 of 17.12.90) with effect from 1.7.91 - Dir. 85/584 amends this Directive to include Spain and Portugal (OJ L 372 of 31.12.85) - transposition : 1.10.87 <u>NB</u> - Ten years after the entry into force of this Directive, the Commission must make proposals aimed at extending mutual recognition of diplomas to self-employed pharmacists	
181. Adoption of the programme on cooperation between universities and enterprises regarding training in the field of technology (COMETT)	ADOPTED 24.7.86 Dec. 86/365 OJ L 222 of 8.8.86
<u>COMMENTS</u> - Implementation : preparatory phase : 1986 operational phase : 1987-1989 <u>NB</u> : COMETT II was adopted on 16.12.88 (OJ L 13 of 17.1.89 implementation : 1990-94) ; the Report on COMETT I (1987-89) was presented in June 1991. The Commission presented its 1990 Activities Report on 6.9.91 (SEC(91) 1587 final) COMETT II : Interim Evaluation Report (1990-1992) [SEC(92)1300] and 1991 Activities Report [SEC(92)1299] adopted by the Commission on 7.7.92	
182. Specific training in general medical practice	ADOPTED 15.9.86 Dir. 86/457 OJ L 267 of 8.8.86
<u>COMMENTS</u> - Transposition : 1.1.88 (see Art. 1 : specific training in general medical practice) and 1.1.95 (see Art. 7 : exercise of activities as doctor)	

Subject	Adoption date
183. Coordination of the laws of the Member States relating to self-employed commercial agents	ADOPTED 18.12.86 Dir. 86/653 OJ L 382 of 31.12.86
<u>COMMENTS</u> - Transposition : 1.1.90 (derogations for I (Art. 17) : 1.1.93 ; and for IRL and UK : 1.1.94)	
184. General system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration	ADOPTED 21.12.88 Dir. 89/48 OJ L 19 of 24.1.89
<u>COMMENTS</u> - Transposition : 4.1.91 <i>This Directive is supplemented by Dir. 92/51 (OJ L 209 of 24.7.92) with effect from 18.6.94)</i> <u>NB</u> - A report on the state of application of the general system will be submitted by the Commission within 5 years of the date of implementation	
185. Right of residence for employees and self-employed persons who have ceased their occupational activity	ADOPTED 28.6.90 Dir. 90/365 OJ L 180 of 13.7.90
<u>COMMENTS</u> - Transposition : 30.6.92	
186. Right of residence	ADOPTED 28.6.90 Dir. 90/364 OJ L 180 of 13.7.90
<u>COMMENTS</u> - Transposition : 30.6.92	
187. Right of residence for students	ADOPTED 28.6.90 Dir. 90/366 OJ L 180 of 13.7.90
<u>COMMENTS</u> - Transposition : 30.6.92	
188. Second general system for the recognition of professional training to supplement Dir. 89/48/EEC	ADOPTED 18.6.92 Dir. 92/51 OJ L 209 of 24.7.92
<u>COMMENTS</u> - Transposition : 18.6.94	

IV. COMMON MARKET IN SERVICES

1. FINANCIAL SERVICES

A. Banks

189. Annual accounts and consolidated accounts of banks and other financial institutions	ADOPTED 8.12.86 Dir. 86/635 OJ L 372 of 31.12.86
<u>COMMENTS</u> - Transposition : 31.12.90 (Member States must apply the provisions of the Directive for the financial year 1993 at the latest) <u>NB</u> - This Directive is clarified by Dir. 92/30 (OJ L 110 of 28.4.92)	

Subject	Adoption date
190. Obligations of branches established in a Member State of credit institutions and financial institutions having their head offices outside that Member State regarding the publication of annual accounting documents	ADOPTED 13.2.89 Dir. 89/117 OJ L 44 of 16.2.89
<u>COMMENTS</u> - Transposition : 1.1.91 (Member States must apply the provisions of the Directive for the first time to annual accounts for the financial year beginning on 1.1.93 or during the calendar year 1993)	
191. Own funds of credit institutions	ADOPTED 17.4.89 Dir. 89/299 OJ L 124 of 5.5.89
<u>COMMENTS</u> - Transposition : 1.1.91 <u>NB</u> - This Directive has been amended with effect from 1.1.93 by : - Dir. 91/633 (OJ L 339 of 11.12.91) with effect from 31.12.92 (Art. 6(2)) - Dir. 92/16 (OJ L 75 of 21.3.92) - Dir. 92/30 (OJ L 110 of 28.4.92)	
192. Taking-up and pursuit of the business of credit institutions, and amendment to Directive 77/780/EEC (Second Banking Directive)	ADOPTED 15.12.89 Dir. 89/646 OJ L 386 of 10.12.89
<u>COMMENTS</u> - Transposition : 1.1.93, <u>except</u> for Art. 6(2) : 1.1.90 This Directive has been amended with effect from 1.1.93 by Dir. 92/30 (OJ L 110 of 28.4.92)	
193. Solvency ratio for credit institutions	ADOPTED 18.12.89 Dir. 89/647 OJ L 386 of 30.12.89
<u>COMMENTS</u> - Transposition et Implementation : 1.1.91 (derogations for D, EL and DK as regards mortgage credits : 1.1.96 ; derogation for EL as regards application of 8% ratio) - Application of 8% ratio : 1.1.93 This Directive has been amended with effect from 1.1.93 by Dir. 92/30 (OJ L 110 of 28.4.92)	
194. Supervision of credit institutions on a consolidated	ADOPTED 6.4.92 Dir. 92/30 OJ L 110 of 28.4.92
<u>COMMENTS</u> - Transposition : 1.1.93 <u>NB</u> - This Directive repeals Dir. 83/350 with effect from 1.1.93 and amends Dirs 89/299, 89/646 and 89/647	
- Establishment of deposit-guarantee schemes	ADOPTED 22.12.86 Rec. de la Commission 87/63 OJ L 33 of 4.2.87
<u>COMMENTS</u> - Non-compulsory transposition <u>NB</u> - Proposal for a Directive COM (92) 188 - SYN 415 covering the same field but not yet adopted	
- Monitoring and controlling large exposures of credit institutions	ADOPTED 22.12.86 Rec. de la Commission 87/62 OJ L 33 of 4.2.87
<u>COMMENTS</u> - Non-compulsory transposition (proposal for a Directive COM (92) 68-SYN 333 covering the same field but not yet adopted)	

Subject	Adoption date
- Transparency of banking conditions relating to cross-border financial transactions	ADOPTED 14.2.90 Commission Rec. 90/109 OJ L 67 of 15.3.90
<u>COMMENTS</u> - <i>Non-compulsory transposition</i>	
B. Insurance	
195. Legal expenses insurance	ADOPTED 22.6.87 Dir. 87/344 OJ L 185 of 4.7.87
<u>COMMENTS</u> - <i>Transposition : 1.1.90 - Implementation : 1.7.90</i> <i>This Directive amends Dir. 73/239 (First Non-life Directive)</i>	
196. Amendment, as regards credit insurance and suretyship insurance, to First Directive 73/239/EEC relating to the taking-up and pursuit of the business of direct insurance other than life assurance	ADOPTED 22.6.87 Dir. 87/343 OJ L 185 of 4.7.87
<u>COMMENTS</u> - <i>Transposition : 1.1.90 - Implementation : 1.7.90</i> <i>This Directive amends Dir. 73/239 (First Non-life Directive)</i>	
197. Directive relating to direct insurance other than life assurance and laying down provisions to facilitate the effective exercise of freedom to provide services (amendment to Directive 73/239/EEC) - Second Non-life Directive	ADOPTED 22.6.88 Dir. 88/357 OJ L 172 of 4.7.88
<u>COMMENTS</u> - <i>Transposition : 1.1.90</i> <i>Implementation : 30.6.90 (transitional rules for E until 1.1.97 and for EL, IRL and P until 1.1.99)</i> <i>This Directive is amended by Dir. 90/618 (OJ L 330 of 29.11.90) with effect from 20.5.92</i>	
198. Insurance against civil liability in respect of the use of motor vehicles (Third Directive)	ADOPTED 14.5.90 Dir. 90/232 OJ L 129 of 19.5.90
<u>COMMENTS</u> - <i>Transposition : 31.12.92 (derogations for EL, E and P until 31.12.95 for Art. 1 and 2 ; derogation for IRL until 31.12.98 regarding pillion passengers of motorcycles and until 31.12.95 for the Art. 1 as regards other vehicles and for Art. 2)</i>	
199. Freedom to provide services in respect of motor vehicle liability insurance (amendment to Directives 73/239/EEC and 88/357/EEC relating to direct insurance other than life assurance)	ADOPTED 8.11.90 Dir. 90/618 OJ L 330 of 29.11.90
<u>COMMENTS</u> - <i>Transposition : 20.5.92 - Implementation : 20.11.92</i> NB - <i>The provisions of the Directive relating to mass risks aspect (home-country control) will enter into force only after adoption of the Third Non-life Directive (Dir. 92/49 of 18.6.92) ; as a result, the mass risks regime provided for in the Second Non-life Directive (Dir. 88/357) will not be generally applicable until the Third Directive has been implemented</i>	

Subject	Adoption date
200. Life assurance : provisions to facilitate the effective exercise of freedom to provide services (amendment to Directive 79/267/EEC)	ADOPTED 8.11.90 Dir. 90/619 OJ L 330 of 29.11.90
<u>COMMENTS</u> - Transposition : 20.11.92 - Implementation : 20.5.93 (certain transitional provisions will apply for E until 31.12.95, for EL and P until 31.12.98, and for all Member States until 20.5.96)	
201. Annual accounts and consolidated accounts of insurance undertakings	ADOPTED 19.12.91 Dir. 91/674 OJ L 374 of 31.12.91
<u>COMMENTS</u> - Transposition : 1.1.94 (except Art. 1 : 1.1.95) and derogations for certain MS (Art. 46(3)) <u>NB</u> - The Council will re-examine this Directive before 1.1.2000	
202. Third Directive relating to direct insurance other than life assurance (mass risks)	ADOPTED 18.6.92 Dir. 92/49 OJ L 228 of 11.8.92
<u>COMMENTS</u> - Transposition : 31.12.93 - Implementation : 1.7.94	
C. Transactions in securities	
203. Undertakings for collective investment in transferable securities (UCITS)	ADOPTED 20.12.85 Dir. 85/611 OJ L 375 of 31.12.85
<u>COMMENTS</u> - Transposition : 1.10.89 (derogations for EL and P to defer application until 1.4.92) <u>NB</u> - This Directive was amended by Dir. 88/220 (OJ L 100 of 19.4.88)	
204. Mutual recognition of the listing particulars to be published for the admission of securities to official stock exchange listing (amendment of Directive 80/390/EEC)	ADOPTED 22.6.87 Dir. 87/345 OJ L 185 of 14.7.87
<u>COMMENTS</u> - Transposition : 1.1.90 (derogation for E : 1.1.91 and for P : 1.1.92)	
205. Amendment, as regards the investment policies of certain UCITS, to Directive 85/611/EEC relating to undertakings for collective investments in transferable securities (UCITS)	ADOPTED 22.3.88 Dir. 88/220 OJ L 100 of 19.4.88
<u>COMMENTS</u> - See Dir. 85/611 above	
206. Information to be published when a major holding in a listed company is acquired or disposed of	ADOPTED 12.12.88 Dir. 88/627 OJ L 348 of 17.12.88
<u>COMMENTS</u> - Transposition : 1.1.91	
207. Coordination of the requirements for the drawing-up, scrutiny and distribution of the prospectus to be published when transferable securities are offered to the public	ADOPTED 17.4.89 Dir. 89/298 OJ L 124 of 5.5.89
<u>COMMENTS</u> - Transposition : 17.4.91	

Subject	Adoption date
208. Coordination of regulations on insider trading	ADOPTED 13.11.89 Dir. 89/592 OJ L 334 of 18.11.89
<u>COMMENTS</u> - Transposition : 1.6.92	
209. Amendment to Directive 80/390/EEC in respect of the mutual recognition of public-offer prospectuses as stock-exchange listing particulars	ADOPTED 23.4.90 Dir. 90/211 OJ L 112 of 3.5.90
<u>COMMENTS</u> - Transposition : 17.4.91	
2. TRANSPORT	
210. Maritime transport :	ADOPTED 22.12.86 and 23.6.92
1. Freedom to provide services in the maritime transport sector : (a) between Member States and third countries (b) within Member States	1(a) : Reg. 4055/86 1(b) : not yet published in the OJ
2. Application of Articles 85 and 86 of the Treaty to maritime transport	2 : Reg. 4056/86
3. Unfair pricing practices in maritime transport	3 : Reg. 4057/86
4. Coordinated action to safeguard free access to cargoes in ocean trades	4 : Reg. 4058/86 OJ L 378 of 31.12.86
<u>COMMENTS</u> - Implementation : Reg. 4055 : 1.1.87 Reg. 4056-4058 : 1.7.87 - Reg. 4260/88 (OJ L 376 of 31.12.88) implemented the provisions of Reg. 4056/86 with effect from 1.1.89 - Reg. 4055/86 was amended by Reg. 3573/90 (OJ L 353 of 17.12.90)	
211. Fares for scheduled air services between Member States	ADOPTED 14.12.87 Dir. 87/601 OJ L 374 of 31.12.87
<u>COMMENTS</u> - Transposition : 31.12.87 This Directive was repealed with effect from 1.11.90 by Reg. 2342/90 (OJ L 217 of 11.8.90) ; Reg. 2342/90 was implemented by Dec. 92/398 (OJ L 220 of 5.8.92)	
212. Air transport : sharing of passenger capacity and market access	ADOPTED 14.12.87 Dec. 87/602 OJ L 374 of 31.12.87
<u>COMMENTS</u> - Implementation : 1.1.88 NB - This Decision was repealed with effect from 1.11.90 by Reg. 2343/90 (OJ L 217 of 11.8.90)	
213. Procedure for the application of the rules on competition to undertakings in the air transport sector	ADOPTED 14.12.87 Reg. 3975/87 OJ L 374 of 31.12.87
<u>COMMENTS</u> - Implementation : 1.1.88 NB - This Regulation was amended with effect from 18.5.91 by Reg. 1284/91 (OJ L 122 of 17.5.91) ; its provisions were implemented with effect from 1.1.89 by Reg. 4261/88 (OJ L 376 of 31.12.88)	

Subject	Adoption date
214. Amendment to Regulation (EEC) No 3164/76 on the Community quota for the carriage of goods by road between Member States	ADOPTED 21.6.88 Reg. 1841/88 OJ L 163 of 30.6.88
<u>COMMENTS</u> - Implementation : 1.7.88 (the definitive regime will be decided and implemented by 31.12.92)	
215. Conditions under which non-resident carriers may operate national road haulage services within a Member State	ADOPTED 21.12.89 Reg. 4059/89 OJ L 390 of 30.12.89
<u>COMMENTS</u> - Implementation : 1.7.90 <i>This Regulation was amended by Reg. 91/296 (OJ L 36 of 8.2.91) ; it will apply until 31.12.92 (the definitive cabotage system will have been adopted by 1.7.92 to take effect from 1.1.93)</i> <i>Dec. 92/258 (OJ L 128 of 14.5.92) implemented this Regulation</i>	
216. Scheduled air services	ADOPTED 24.7.90 Regs 2342/90, 2343/90 OJ L 217 of 11.8.90
<u>COMMENTS</u> - Implementation : 1.11.90 - Reg. 2342/90 relates to air fares and repeals Dir. 87/601 (OJ L 374 of 31.12.87) - Reg. 2343/90 relates to access for air carriers to scheduled intra-Community air service routes and on the sharing of passenger capacity between air carriers and repeals Dec. 87/602 (OJ L 374 of 31.12.87) and Dir. 83/416 (OJ L 237 of 26.8.83)	
217. Conditions under which non-resident carriers may transport goods or passengers by inland waterway within a Member State	ADOPTED 16.12.91 Reg. 3921/91 OJ L 373 of 31.12.91
<u>COMMENTS</u> - Implementation : 1.1.93 (certain derogations for D and F until 1.1.95) <u>NB</u> - Transport operations between ports situated within the Länder of Brandenburg, Mecklenburg-Western Pomerania, Saxony, Saxony-Anhalt and Thüringia, as well as Berlin, are excluded from the scope of this Regulation	
218. Mutual acceptance of personal licences for the exercise of functions in civil aviation	ADOPTED 16.12.91 Dir. 91/670 OJ L 373 of 31.12.91
<u>COMMENTS</u> - Transposition : 1.6.92	
219. Establishment of common rules for the international carriage of passengers by coach and bus	ADOPTED 16.3.92 Reg. 684/92 OJ L 74 of 20.3.92
<u>COMMENTS</u> - Implementation : 1.6.92 <u>NB</u> - This Regulation repeals Regs. 117/56, 516/72 and 517/72 - Before 1.1.97 the Council is required to act on a Commission proposal on the simplification of procedures <i>The detailed rules for the application of this Regulation as regards documents for the international carriage of passengers were laid down by Reg. 1839/92 (OJ L 187 of 7.7.92) [implementation : 1.6.92]</i>	

Subject	Adoption date
220. Access to intra-Community air routes for air carriers (third liberalization package)	ADOPTED 23.7.92 (not yet published in the OJ)
<u>COMMENTS</u> -	
221. Conditions under which non-resident carriers may operate national road passenger transport services within a Member State	ADOPTED 23.7.92 (not yet published in the OJ)
<u>COMMENTS</u> -	

3. NEW TECHNOLOGIES AND SERVICES

222. Pursuit of television broadcasting activities	ADOPTED 3.10.89 Dir. 89/552 OJ L 298 of 17.10.89
<u>COMMENTS</u> - <i>Transposition : 3.10.91</i>	
223. Coordinated introduction of public pan-European cellular digital land-based mobile communications in the Community (mobile phones)	ADOPTED 25.6.87 Rec. 87/371, Dir. 87/372 OJ L 196 of 17.7.87
<u>COMMENTS</u> - <i>Transposition dir. 87/372 (reserved frequency bands) : 27.12.88 Implementation of Rec. 87/371 : 30.6.87 (from the end of 1987, the Commission was to be informed each year of progress in implementing the Recommendation)</i>	
224. Establishment of a plan of action for setting up an information services market	ADOPTED 26.7.88 Dec. 88/524 OJ L 288 of 21.10.88
<u>COMMENTS</u> - <i>Implementation : 26.7.88</i>	
225. Establishment of the internal market for telecommunications services through the implementation of open network provision	ADOPTED 28.6.90 Dir. 90/387 OJ L 192 of 24.7.90
<u>COMMENTS</u> - <i>Transposition : 1.1.91</i>	
226. Telecommunications terminal equipment, including the mutual recognition of their conformity	ADOPTED 29.4.91 Dir. 91/263 OJ L 218 of 23.5.91
<u>COMMENTS</u> - <i>Transposition : 6.11.92 This Directive amends Dir. 89/336 (OJ L 139 of 23.5.89) and repeals Dir. 86/361 (OJ L 217 of 5.8.86) with effect from 6.11.92</i>	
- European Code of Conduct relating to electronic payment (relations between financial institutions, traders and service establishments, and consumers)	ADOPTED 8.12.87 Commission Rec. 87/598 OJ L 365 of 24.12.87
<u>COMMENTS</u> - <i>Implementation : 11.12.87</i>	

V. CAPITAL MOVEMENTS

Subject	Adoption date
227. Liberalization of units in undertakings for collective investment in transferable securities (amendment to the Directive of 11.5.60 on the implementation of Article 67 of the Treaty)	ADOPTED 20.12.85 Dir. 85/583 OJ L 372 of 31.12.85
<i>COMMENTS - Transposition : 1.10.89 (derogation for P : 31.12.90)</i>	
<i>NB - Since the implementation of Dir. 88/361 on 1.7.90 (see below), the First Council Directive of 11.5.60 for the implementation of Art. 67 of the Treaty and Dirs. 85/583 and 86/566 amending that Directive have been repealed</i>	
228. Amendment to the First Directive of 11.5.60 for the implementation of Article 67 of the Treaty (obligation on the Member States to liberalize capital movements)	ADOPTED 17.11.86 Dir. 86/566 OJ L 332 of 26.11.86
<i>COMMENTS - Implementation : 28.2.87</i>	
<i>NB - See point 227 above</i>	
<i>E and P may, in connection with the Act of Accession, defer application of this Directive (E until 1.10.89 and P until 31.12.90 for transactions in shares issued by undertakings for collective investment in transferable securities, and E until 31.12.90 and P until 31.12.92 for other transactions whose liberalization is planned)</i>	
229. Implementation of Article 67 of the Treaty (liberalization of capital movements)	ADOPTED 24.6.88 Dir. 88/361 OJ L 178 of 8.7.88
<i>COMMENTS - Transposition : 1.7.90 (derogation until the end of 1992 for EL, IRL, E and P as regards short-term capital movements, and for B and L as regards the two-tier foreign exchange market)</i>	
<i>NB - This Directive repeals Dirs. 60/921 and 72/156. Since the implementation of this Directive on 1.7.90, the First Council Directive of 11.5.60 for the implementation of Art. 67 of the Treaty and Dirs. 85/583 and 86/566 amending the First Directive have been repealed</i>	

VI. CREATION OF SUITABLE CONDITIONS FOR INDUSTRIAL COOPERATION

1. COMPANY LAW

230. European Economic Interest Grouping (EEIG)	ADOPTED 25.7.85 Reg. 2137/85 OJ L 199 of 31.7.85
<i>COMMENTS - Implementation : 1.7.89 (except Art. 39, 41, 42 : 3.8.85)</i>	

Subject	Adoption date
231. Disclosure requirements in respect of branches opened in a Member State by certain types of company governed by the law of another State (Eleventh Company Law Directive)	ADOPTED 21.12.89 Dir. 89/666 OJ L 395 of 30/12/89
<u>COMMENTS</u> - Transposition : 1.1.92 <i>This Directive amends Dirs. 78/660 (Fourth Directive) and 83/349 (Seventh Directive)</i>	
232. Amendment to Directive 78/660/EEC on annual accounts and Directive 83/349/EEC on consolidated accounts - as concerns the exemptions for small and medium-sized companies (Dir. 90/604) - as regards the scope of those Directives (Dir. 90/605)	ADOPTED 8.11.90 Dir. 90/604, 90/605 OJ L 317 of 16.11.90
<u>COMMENTS</u> - Transposition : 1.1.93 (Member States may apply the provisions of these Directives for the first time to accounts for the financial year beginning on 1.1.95 or during the calendar year 1995)	
233. Twelfth Company Law Directive on single-member private limited-liability companies	ADOPTED 21.12.89 Dir. 89/667 OJ L 395 of 30.12.89
<u>COMMENTS</u> - Transposition : 1.1.92	
2. INTELLECTUAL AND INDUSTRIAL PROPERTY	
234. Legal protection of topographies of semi-conductor products	ADOPTED 18.12.86 Dir. 87/54 OJ L 24 of 27.1.87
<u>COMMENTS</u> - Transposition : 7.11.87	
235. First Council Directive relating to trade marks	ADOPTED 21.12.88 Dir. 89/104 OJ L 40 of 11.2.89
<u>COMMENTS</u> - Transposition : 31.12.92 <i>Dec. 92/10 (OJ L 6 of 11.1.92) postponed the date of transposition of this Directive from 28.12.91 to 31.12.92</i>	
236. Legal protection of computer programs	ADOPTED 14.5.91 Dir. 91/250 OJ L 122 of 17.5.91
<u>COMMENTS</u> - Transposition : 1.1.93	

3. TAXATION

Subject	Adoption date
237. Common system of taxation applicable to mergers, divisions, transfers of assets and exchanges of shares concerning companies of different Member States	ADOPTED 23.7.90 Dir. 90/434 OJ L 225 of 20.8.90
<i>COMMENTS - Transposition : 1.1.92 (derogation for P until 1.1.93 as regards transfers of assets and exchanges of shares - Art. 12)</i>	
238. Common system of taxation applicable in the case of parent companies and subsidiaries of different Member States	ADOPTED 23.7.90 Dir. 90/435 OJ L 225 of 20.8.90
<i>COMMENTS - Transposition : 1.1.92 (derogation for EL until such time as it no longer charges corporation tax on distributed profits ; certain derogations for D until mid-1996 and for P until the end of the eighth year following the implementation of this Directive - Art. 5)</i>	
239. Convention on the elimination of double taxation in connection with the adjustment of profits of associated enterprises	SIGNED by Member States 23.7.90 Doc. 90/436 OJ L 225 of 20.8.90
<i>COMMENTS - After ratification, the Convention will enter into force on the first day of the third month following that in which the instrument of ratification is deposited by the last signatory State to take that step ; it is concluded for a period of five years</i>	

Part III :

Removal of tax barriers

I. V A T

240. Turnover taxes : arrangements for the refund of value added tax to taxable persons not established in Community territory (Thirteenth VAT Directive)	ADOPTED 17.11.86 Dir. 86/560 OJ L 326 of 21.11.86
<i>COMMENTS - Transposition : 1.1.88</i>	
241. Turnover taxes : exemption from value added tax on the temporary importation of goods other than means of transport (Seventeenth VAT Directive)	ADOPTED 16.7.85 Dir. 85/362 OJ L 192 of 24.7.85
<i>COMMENTS - Transposition : 1.1.86 (deferred application of certain articles for D until 1.1.87 and for EL until 1.1.89)</i>	
<i>This Directive was amended by Dir. 90/237 (OJ L 133 of 24.5.90) with effect from 1.7.90</i>	
<i>NB - This Directive ceases to apply with effect from 31.12.92 as regards relations between Member States (> Dir. 91/680, OJ L 376 of 31.12.91)</i>	

Subject	Adoption date
242. Abolition of certain derogations provided for in Article 28(3) of the Sixth Directive 77/388/EEC (Eighteenth VAT Directive)	ADOPTED 18.7.89 Dir. 89/465 OJ L 226 of 8.8.89
<u>COMMENTS</u> - Transposition : <u>1.1.90</u> for points 1, 3 to 6, 8 to 10 and 12 to 14 of Annex E and points 3, 14 and 18 to 22 of Annex F <u>1.1.91</u> for points 4, 13, 15 and 24 of Annex F <u>1.1.92</u> for point 9 of Annex F <u>1.1.93</u> for point 11 of Annex F (Derogation until 1.1.94 for P - points 3 and 9 of Annex F) <u>NB</u> - New proposal for a directive : COM (91) 215 final of 2.7.92	
243. Directive supplementing the common system of value added tax and amending Directive 77/388 with a view to abolition of fiscal frontiers	ADOPTED 16.12.91 Dir. 91/680 OJ L 376 of 31.12.91
<u>COMMENTS</u> - Transposition : 1.1.93 This Directive amends the effect of Dirs. 69/169 (amended by Dir. 91/191), 74/651 (amended by Dir. 88/663), 83/181 (amended by Dir. 89/219), 83/182, 83/183 (amended by Dir. 89/604) and 85/362	
244. Administrative cooperation in the field of indirect taxation (VAT)	ADOPTED 27.1.92 Reg. 218/92 OJ L 24 of 1.2.92
<u>COMMENTS</u> - Implementation : 4.2.92 (no exchange of information under this Regulation is to take place before 1.1.93)	

II. EXCISE DUTIES

245. Harmonization of the structure of excise duties on alcoholic beverages (authorization for the French Republic to apply in its overseas departments and in metropolitan France, by way of derogation from Article 95 of the Treaty, a reduced rate of the revenue duty imposed on the consumption of "traditional" rum produced in those departments)	ADOPTED 19.4.88 Dec. 88/245 OJ L 106 of 27.4.88
<u>COMMENTS</u> - Implementation : 3.5.88 This Decision enables the derogation to continue until 31.12.92	
246. General arrangements for products subject to excise duty and the holding and movement of such products	ADOPTED 25.2.92 Dir. 92/12 OJ L 76 of 23.2.92
<u>COMMENTS</u> - Transposition : 1.1.93 <u>NB</u> - This Directive amends the effect of Dirs. 69/169, 74/651, 83/183 and 68/297	

Total number of proposals DEFINITELY adopted by Council :.....245

Total number of proposals PARTIALLY adopted by Council : 1

**PROPOSALS SUBMITTED BY COMMISSION
WHICH STILL REQUIRE COUNCIL ADOPTION**

Key

- Proposals marked with an asterisk (*) were presented after the publication of the White Paper (14 June 1985).
- Proposals marked with two asterisks (**) await European Parliament opinion or first reading.

Where the cooperation procedure applies :

- FR indicates that Parliament has completed its first reading
- CP indicates proposals upon which a common position has been reached
- SR indicates that Parliament has completed its second reading (second readings are delivered on common positions - common positions exist until final adoption by Council)

Voting procedures are indicated in the Council column thus :

- U = unanimity
- QM = qualified majority
- SM = simple majority

Part one :
Removal of physical barriers

I. CONTROL OF GOODS

2. VETERINARY AND PHYTOSANITARY CONTROLS

A. Veterinary controls

	Subject	Commission's proposal	Adoption by Council
1.	2nd revision safeguard COM (89)493 <i>Low priority</i>	1989*	1993 - QM
2.	Application of health standards to meat (Dir. 88/657) (minced meat) COM (89)671 ; COM (91)374	1989*	1992 - QM
3.	Application of health standards to national products - modification of directive 71/118 (poultry) COM (89)668	1989*	1992 - QM
4.	Application of health standards to national products - derogations COM (89)670	1989*	PARTIALLY ADOPTED 29.07.91 1991 - QM

B. Phytosanitary controls

5.	Amendment to directive 77/93 on protective measures against the introduction into Mem- ber States of organisms harmful to plants or plant products (rules of liability) COM (89)647 ; COM (91)246	1989*	1992 - QM
6.	European plant breeders' rights COM (90)347	1990*	1992** - QM

<p>Part two :</p> <p>Removal of technical barriers</p>
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I. FREE MOVEMENT OF GOODS

2. SECTORAL PROPOSALS CONCERNING APPROXIMATION OF LAWS

C. Food law

Subject	Commission's proposal	Adoption by Council
7. Irradiation of foodstuffs COM (84)654, COM (89)576	1988*	1992 - QM - FR

II. PUBLIC PROCUREMENT

8. Public procurement of services in excluded sectors COM (91)347	1992 - QM Political agreement on a CP
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III. FREE MOVEMENT FOR LABOUR AND THE PROFESSIONS

9. Freedom of movement for workers : residence permits (proposal for directive and regulation) COM (88)815, COM (90)108 <i>Low priority</i>	1988*	1993 - QM- FR
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IV. COMMON MARKET FOR SERVICES

1. FINANCIAL SERVICES

A. Banks

10. Directive on the adequacy of own funds for investments funds and credit institutions COM (90)141	1990*	1992 - QM - CP
11. Large exposures of banking institutions COM (91)68, COM (92)273	1991*	1992 - QM - PC

B. Insurance

	Subject	Commission's proposal	Adoption by Council
12.	3rd life insurance directive COM (91)57, modified by COM (92)285	1991*	1992 - QM - CP

C. Transactions in securities

13.	Investment services COM (88)778, modified by COM (89)629	1988*	1992 - QM - FR
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**VI. CREATION OF SUITABLE CONDITIONS
FOR INDUSTRIAL COOPERATION**

1. COMPANY LAW

14.	Fifth company law directive (structure of public limited companies) COM (72)887 modified by COM (91)372, COM (83)185, COM (90)629 <i>Low priority</i>	1990*	1993 - QM - FR
15.	Tenth directive concerning cross-border mergers COM (84)727 <i>Low priority</i>	1985	1993** - QM
16.	Statute for a European company COM (89)268 modified by COM (91)174, SYN 218	1989*	1992 - QM - FR
17.	Take-over bids (13th company law directive) COM (88)823, COM (90)416 <i>Low priority</i>	1988*	1993 - QM - FR

2. INTELLECTUAL AND INDUSTRIAL PROPERTY

18.	Regulation on Community trade marks COM (80)635, COM (84)470	1980	1992 - U
19.	Regulation on the rules needed for implementing the Community Trademark regulation COM (85)844	1985*	1992 - QM

	Subject	Commission's proposal	Adoption by Council
20.	Regulation on rules of procedures for the Boards of Appeal of the Community Trademark office COM (86)731	1986*	1992 - QM
21.	Community Trademark office - regulation on fees COM (86)742	1986*	1992 - QM
22.	Legal protection of biotechnological inventions COM (88)496	1988*	1992** - QM

3. REMOVING TAX OBSTACLES

23.	Arrangements for the taking into account by undertakings of the losses of their permanent establishments and subsidiaries situated in other Member States COM (90)595	1990*	1992 - U
24.	Harmonization of Member States laws relating to tax arrangements for carryover of losses of undertakings COM (84)404, modified by COM (85)319 <i>Low priority</i>	1984	1993 - U

Part III Removal of fiscal barriers
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I. V A T

25.	Proposal on special schemes for small business COM (86)444, COM (87)524	1986*	1992 - U
26.	12th VAT directive concerning expenditure on which tax is not deductible COM (82)870, COM (84)84 <i>Low priority</i>	1982	1993 - U
27.	19th VAT directive - miscellaneous supplementary and amending provisions of directive 77/388 COM (84)648, modified by COM (87)315 <i>Low priority</i>	1982	1993 - U

	Subject	Commission's proposal	Adoption by Council
28.	Directive on the stores of ships, aircraft and international trains COM (79)794 <i>Low priority</i>	1980	1993 - U
29.	Approximation of VAT rates COM (87) 321, modified by COM (92)5	1987*	1992 - U Political agree- ment (ECOFIN 27.7.92)
30.	Completion of common VAT system & modification to articles 28 & 32 of direct. 77/388 (7th VAT directive) COM (88)846	1988*	1992 - U

II. EXCISE DUTIES

31.	Proposal for a directive on the structure of excise duties on alcoholic drinks and on alcohol contained in other products COM (90)432	1990*	1992 - U Political agree- ment (ECOFIN 27.7.92)
32.	Structure of excise duties on manufactured tobacco COM (90)433	1990*	1992 - U Agreement (ECOFIN 16.3.92)
33.	Harmonization of excise duties on mineral oils COM (90)434, modified by COM (92)4	1990*	1992 - U Political agree- ment (ECOFIN 27.7.92)
34.	Approximation of taxes on manufactured tobacco other than cigarettes COM (87)326, COM (89)525/2	1987*	1992 - U Political agree- ment (ECOFIN 27.7.92)
35.	Approximation of taxes on cigarettes COM (87)325, COM (89)525/1	1987*	1992 - U Political agree- ment (ECOFIN 27.7.92)
36.	Approximation of the rates of excise duties on alcoholic beverages and on the alcohol contained in other products COM (87)328, COM (89)527	1987*	1992 - U Political agree- ment (ECOFIN 27.7.92)
37.	Approximation of the rates of excise duties on mineral oils COM (87)327, COM (89)526, COM (91)43, COM (92)3, COM (92)36	1987*	1992 - U Political agree- ment (ECOFIN 27.7.92)

WHITE PAPER PROGRAMME

LIST OF DIRECTIVES, REGULATIONS, DECISIONS AND RECOMMENDATIONS WHICH ARE ALREADY IN FORCE OR ARE DUE TO ENTER INTO FORCE BY 01.01.1993

N.B.

- I = Implementing measures notified**
- NI = Not incorporated into national law**
- D = Derogation from implementation date**
- IR = Infringement proceedings under way**
- SO = Not applicable**

[illegible]

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DEC 87/58 Eradication of brucellosis, tuberculosis and leucosis in cattle	22/12/86	SO	SO	SO	SO	I	SO	SO	SO	SO	SO	I	SO	Implementation compulsory only for E & P (See Art. 3)
DIR 88/146 Hormone growth promoters	1/01/88	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 88/288 Amendment to Directive 64/433: health problems intra-Community trade in fresh meat	1/01/89	IR	I	I	I	I	I	I	I	I	I	I	I	
DIR 88/289 Amendment to Dir. 72/462: imports of bovine animals, swine and fresh meat from third countries	1/01/89	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 88/380 Certification of seeds	1/07/90	I	I	I	I	I	I	I	I	IR	I	I	I	derogations for certain articles; L: partial implementation
DIR 88/407 Imports of frozen semen of bovine animals	1/01/90	IR	I	I	I	I	I	IR	I	I	I	I	I	
DIR 88/572 Amendment to Directive 77/93 (plant health)	1/01/89	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 88/657 Minced meat and similar products: health problems	1/01/92	IR	I	I	I	IR	I	I	I	I	IR	I	I	

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DEC 89/455 Pilot projects for the control of rabies		I	I	I	I	I	I	I	I	I	I	I	I	Pilot projects for 1991 have been submitted by the MS
DIR 89/556 Animal health conditions governing intra-Community trade in and importation from third countries of embryos of bovine species	1/01/91	I	I	I	I	IR	I	IR	IR	I	I	I	I	
DIR 89/608 Mutual assist. betw. admin. authorities of MS & EEC to ensure correct applic. of legislation on veterinary & zootechnical matters	1/07/91	I	I	I	I	IR	I	I	IR	IR	I	IR	I	
DIR 89/662 Veterinary checks in intra-Community trade	1/07/92	NI	I	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	B: order has yet to be implemented; P: partial transposition
DIR 90/167 Production of and trade in medicated feedingsuffs	1/10/91	IR	IR	IR	IR	IR	IR	IR	IR	IR	IR	I	I	31.12.92: Art. 11(2) - DK, D: partial transposition
DIR 90/168 Organisms harmful to plants or plant products (amendment to Dir. 77/93)	1/01/91	I	I	I	I	I	I	I	I	IR	I	I	I	
DEC 90/217 African swine fever in Sardinia		SO	SO	SO	SO	SO	SO	SO	J	SO	SO	SO	SO	I: eradication plan
DEC 90/242 Brucellosis (sheep and goats)		SO	SO	SO	I	I	I	SO	I	SO	SO	I	SO	applies to E, F, EL, I, P (eradication plans have been submitted)

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 90/423 Foot-and-mouth disease	1/01/92	IR	I	I	I	IR	I	IR	I	IR	I	I	I	

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 91/68 Animal health conditions governing Intra-Community trade in ovine and caprine animals (amendm. to Dir. 72/462)	31/12/92													Art. 7, 8: transposition two months after notification (Feb. 91)
DIR 91/682 Marketing of ornamental plant propagating material and ornamental plants	31/12/92													
DIR 91/69 Animal health conditions governing Intra-Community trade in ovine and caprine animals (amendment to Dir. 72/462)	31/12/92													
DIR 92/33 Marketing of vegetable propagating and planting material	31/12/92													
DIR 92/34 Marketing of fruit plant propagating material	31/12/92													
DIR 92/5 Health rules: animal fats, products of animal origin, meat products	1/01/93													some derogations provided for by Dirs. 90/675 and 91/496

REMOVAL OF PHYSICAL BARRIERS
- Controls on individuals -

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 88/331 Small consignments - exemption from VAT on the final importation of goods	1/01/89	I	I	I	I	I	I	I	IR	I	I	I	I	

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 88/663 Tax reliefs - small consignments of a non-commercial character	1/07/89	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 88/664 Sixth Directive on allowances in intra-community travel (Dir. 69/169)	1/07/89	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 89/604 Imports of personal property of individuals	1/07/90	I	I	I	I	I	I	I	IR	I	I	I	I	
DIR 91/191 Amendment to Directive 69/169 on tax-paid allowances as regards a derogation granted to DK and IRL	1/07/91	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 91/477 Control of acquisition and possession of weapons	1/01/93													
CCC CC Convention - Right of asylum														Ratification necessary by 31.12.92
REMOVAL OF TECHNICAL BARRIERS - Free movement of goods - New approach to technical harmonization and standards														
Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 87/404 Simple pressure vessels	1/01/90	I	I	I	I	I	I	I	I	I	IR	I	I	

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 88/182 Amendment to Directive 83/189. Information procedures, etc.	1/01/89	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 88/378 Safety of toys	30/06/89	IR	I	I	I	I	I	I	I	I	I	IR	I	B, P: non conformity
DIR 89/336 Electromagnetic compatibility	1/07/91	NI	I	NI	NI	NI	I	NI	NI	NI	NI	I	NI	D: partial implementation
DIR 89/392 Machinery	1/01/92	I	IR	I	IR	IR	I	IR	IR	I	I	IR	IR	
DIR 89/686 Personal protective equipment	31/12/91	IR	IR	I	IR	IR	I	IR	IR	IR	I	IR	IR	
DIR 90/384 Non-automatic weighing instruments	1/07/92	NI	I	NI	NI	NI	I	NI	NI	NI	NI	NI	I	
DIR 90/385 Active implantable medical devices	1/07/92	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	
DIR 90/396 Gas appliances	1/07/91	IR	I	I	I	IR	I	IR	I	I	I	I	I	

[illegible]

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 86/102 Emulsifiers (amendment)	26/03/88	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 86/197 Obligation to indicate ingredients and alcoholic strength	1/05/89	I	I	I	I	I	I	I	I	I	I	IR	I	01.05.88 free movement clause; 01.05.89 full application
DIR 88/344 Extraction solvents used in the production of foodstuffs	12/06/91	I	I	I	I	I	I	I	NI	I	I	I	IR	I: partial implementation
DIR 88/388 Flavourings	22/06/91	I	I	I	I	I	I	I	I	I	I	I	I	22.6.90 free movement clause, 22.6.91 full application
DIR 88/593 Jams	1/01/91	I	I	I	I	I	I	I	I	I	I	I	I	31.12.89 free movement clause; 1.1.91 full application
DIR 89/107 Food additives in foodstuffs	28/12/91	I	I	I	I	I	I	I	IR	I	I	I	IR	28.12.90 free movement clause; 28.12.91 full application
DIR 89/108 Frozen foods	10/01/91	I	I	I	I	I	I	IR	I	I	I	I	I	10.7.90 free movement clause; 10.01.91 full application
DIR 89/109 Materials in contact with foodstuffs	10/01/92	I	I	IR	I	I	I	I	I	I	I	I	I	10.7.90 free movement clause; 10.1.92 full application

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 89/394 Fruit juices	14/06/91	I	I	I	I	I	I	I	I	I	I	I	I	14.06.90: free movement clause; 14.6.91 full application
DIR 89/395 Labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer	20/06/92	I	I	IR	I	I	I	I	I	IR	I	IR	I	20.12.90 free movement clause; 20.6.92 full application
DIR 89/397 Official control of foodstuffs	20/06/90	I	I	NI	I	IR	I	I	I	I	I	IR	I	D: partial implementation
DIR 89/398 Food for particular nutritional uses	16/05/91	I	I	IR	I	I	I	I	I	I	I	I	NI	UK: part implementation; 16.5.90: free movem. clause; 16.5.91 full application
DIR 90/496 Nutrition labelling (free movement clause)	1/04/92	I	I	IR	I	IR	IR	I	IR	I	IR	IR	IR	Free movement clause: 1/4/92; full application: 1/10/93
REMOVAL OF TECHNICAL BARRIERS - Free movement of goods - Pharmaceuticals and high-technology medicines														
Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
REG 2377/90 Procedure for the establishment of maximum residue limits for veterinary medicines in foodstuffs	1/01/92													directly applicable
REC 87/176 Tests relating to placing on the market of proprietary medicinal products														Implementation not required

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 87/19 Amendment to Dir. 73/318 - testing of proprietary medicinal products	1/07/87	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 87/20 Amendment to Dir. 81/852 on veterinary medicinal products	1/07/87	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 87/21 Amendment to Dir. 65/65 on proprietary medicinal products	1/07/87	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 87/22 Placing on the market of high-technology medicinal products including those derived from biotechnology	1/07/87	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 89/105 Transparency in the pricing of medicines & social security refunds	31/12/89	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 89/341 Proprietary medicinal products	1/01/92	IR	I	I	I	IR	IR	I	I	I	IR	I	NI	UK: partial implementation
DIR 89/342 Immunological medicinal products: vaccines, toxins, etc.	1/01/92	IR	I	I	I	I	IR	I	I	I	IR	I	NI	UK: partial implementation
DIR 89/343 Radiopharmaceuticals	1/01/92	IR	I	I	I	IR	IR	I	I	I	IR	I	NI	UK: partial implementation

[illegible]

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 85/610 Asbestos	31/12/87	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 88/183 Liquid fertilizers	25/03/89	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 88/379 Classification, packaging and labelling of dangerous preparations	8/06/91	IR	I	IR	I	IR	I	IR	I	IR	I	I	IR	
DIR 89/284 Calcium, magnesium, sodium, sulphur content of fertilizers	16/04/90	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 89/530 Trace elements contained in fertilizers	18/03/91	I	I	I	I	I	I	I	IR	I	I	I	I	
REMOVAL OF TECHNICAL BARRIERS - Free movement of goods - Construction and construction products														
Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 87/405 Tower cranes: permissible sound levels	25/06/89	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 89/106 Construction products	27/06/91	IR	I	I	IR	IR	I	IR	IR	IR	I	IR	I	

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
REMOVAL OF TECHNICAL BARRIERS - Free movement of goods - Other items														
Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 86/217 Tyre pressure gauges	30/11/87	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 86/594 Household appliances: airborne noise	3/12/89		I	I	I	I	I	I	I	I		I	I	Implementation not required
DIR 86/662 Hydraulic diggers (noise)	24/12/88	I	I	I	I	I	I	I	I	I	I	I	I	
REC 86/666 Protection of hotels against fire			I	I		I	I	I			I	I	I	Implementation non required
DIR 87/357 Products which, appearing to be other than they are, endanger the health or safety of consumers	26/06/89	I	I	I	I	I	IR	I	I	I	I	I	I	F: non conformity
DIR 88/180 Permissible sound power level of lawn mowers	1/07/91	IR	I	I	I	I	I	I	I	I	I	I	I	
DIR 88/181 Permissible sound power level of lawn mowers	1/07/91	IR	I	I	I	I	IR	I	I	I	I	I	I	

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 88/314 Indication of prices of non-food products	7/06/90	I	I	I	I	NI	I	I	I	I	I	I	I	
DIR 88/315 Indication of prices of foodstuffs	7/06/90	I	I	I	I	NI	I	I	I	I	I	I	I	
DIR 88/320 Good laboratory practices: non-clinical testing of chemicals	1/01/89	I	I	I	I	IR	I	I	I	I	I	I	I	
DIR 88/667 Cosmetics	31/12/89	I	I	I	I	I	I	IR	I	I	I	I	I	

REMOVAL OF TECHNICAL BARRIERS
- Public procurement -

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 88/295 Public supply contracts (amendment to Dirs 77/62 & 80/767)	1/01/89	IR	I	IR	IR	IR	I	I	I	NI	I	IR	I	B, P, D : non conformity
DIR 89/440 Public works contracts	12/07/90	I	I	IR	IR	IR	I	I	I	IR	I	NI	I	P: partial implementation; non conformity
DIR 89/665 Application of review procedures to the award of public supply and public works contracts	21/12/91	I	I	IR	IR	I	I	I	I	IR	I	I	I	

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 90/531 Excluded sectors	1/07/92	NI	NI	NI	D	D	NI	NI	NI	NI	NI	NI	NI	
REMOVAL OF TECHNICAL BARRIERS - Labour and the professions -														
Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DEC 85/368 Comparability of vocational training qualifications														Implementation not required
DIR 85/432 Coordination of provisions in the field of pharmacy	1/10/87	IR	I	I	IR	I	I	I	IR	SO	I	I	I	B, EL, I: non conformity
DIR 85/433 Mutual recognition of diplomas in pharmacy	1/10/87	IR	I	IR	I	I	I	I	I	I	I	I	I	D: non conformity
DEC 85/434 Creation of an advisory committee on pharmaceutical training														Implementation not required
DEC 86/365 COMETT														Implementation not required
DIR 86/457 Specific training in general medical practice	1/01/88	I	I	I	I	I	I	I	I	SO	I	I	I	Implementation date: see Art. 7.

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 86/653 Self-employed commercial agents	1/01/90	IR	I	I	I	I	I	D	I	IR	I	I	D	derogation: IRL, UK: 1/1/94. I: 1.1.93
DIR 89/48 General system for the recognition of higher-education diplomas	1/01/91	IR	I	NI	IR	NI	NI	I	NI	NI	IR	NI	I	D, E, F, I, L, P: partial implementation
DIR 90/364 Right of residence - general directive	30/06/92	NI	NI	DI	NI	I	NI	NI	NI	NI	NI	NI	NI	
DIR 90/365 Right of residence - retired persons	30/06/92	NI	I	NI	NI	I	NI	NI	NI	NI	NI	NI	NI	
DIR 90/366 Right of residence - students	30/06/92	NI	I	NI	NI	I	NI	NI	NI	NI	NI	NI	NI	
REMOVAL OF TECHNICAL BARRIERS - Common market for services - Banks														
Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 86/635 Annual accounts of banks	31/12/90	IR	I	I	IR	I	I	I	I	I	IR	I	I	
DIR 89/117 Obligations of credit institutions and financial institutions regarding the publication of annual accounting documents	1/01/91	IR	I	I	IR	I	I	I	I	I	IR	I	IR	

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 89/299 Own funds of credit institutions	1/01/91	NI	I	IR	I	IR	I	I	I	IR	I	I	I	E, B: partial implementation
DIR 89/646 Taking-up and pursuit of the business of credit institutions	1/01/93	I												
DIR 89/647 Solvency ratio for credit institutions (amended by Dir. 91/31)	1/01/91	NI	I	IR	I	IR	I	I	I	IR	I	I	I	E, B: partial implementation
REC 90/109 Transparency of banking conditions relating to cross-border financial transactions														implementation not required
DIR 92/30 Supervision of credit institutions on a consolidated basis	1/01/93													
REC C 87/62 Control of large exposures														implementation not required (replaced by a proposal for a Directive)
REC C 87/63 Deposit - guarantee schemes														implementation not required (replaced by a proposal for a Directive)
REMOVAL OF TECHNICAL BARRIERS - Common market for services - Insurance														
Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 87/343 Credit insurance and suretyship insurance	1/07/90	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 87/344 Legal expenses insurance	1/07/90	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 88/357 Non-life insurance: freedom to provide services	1/01/90	I	I	I	IR	I	I	I	I	I	I	I	I	
DIR 90/232 3rd directive on motor vehicle insurance	31/12/92						I		I					
DIR 90/618 Motor liability insurance: freedom to provide services	20/05/92	NI	I	NI	NI	NI	I	NI	NI	NI	NI	NI	NI	I: partial implementation
DIR 90/619 Life assurance: freedom to provide services	20/11/92													
REMOVAL OF TECHNICAL BARRIERS - Common market for services - Transactions in securities														
Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 85/611 Undertakings for collective investment in transferable securities (UCITS) (amended by Dir. 88/220)	1/10/89	I	I	I	NI	I	I	I	I	I	I	NI	I	P: partial implementation

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 88/627 Information to be published when a major holding in a listed company is acquired or disposed of	1/01/91	I	I	IR	I	I	I	I	I	IR	I	I	IR	
DIR 89/298 Drawing-up, scrutiny and distribution of the prospectus to be published when transferable securities are offered to the public	17/04/91	NI	I	I	I	IR	I	IR	I	I	I	I	I	B: partial implementation
DIR 89/592 Coordination of regulations on insider trading	1/06/92	I	I	NI	I	I	I	I	I	I	NI	I	NI	
DIR 90/211 Mutual recognition of public-offer prospectuses as stock-exchange listing particulars	17/04/91	I	I	I	IR	IR	I	IR	I	I	I	I	I	
REMOVAL OF TECHNICAL BARRIERS - Common market for services - Transport														
Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
REG 1841/88 Road transport - Community quota	1/07/88													Directly applicable
REG 2342/90 Air transport: fares and passenger capacity	1/11/90													directly applicable - repeals Dir. 87/601
REG 2343/90 Passenger capacity, access for air carriers	1/11/90													directly applicable - repeals Dir. 87/602

[illegible]

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 91/670 Mutual acceptance of personnel licences for the exercise of functions in civil aviation	1/06/92	NI	I	NI	NI	I	NI	NI	NI	NI	NI	NI	NI	

REMOVAL OF TECHNICAL BARRIERS
- Common market for services -
New technologies and services

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
REC 87/371 Pan-European mobile telephones														Gradual implementation from end 1987; Member States to report to the Commission
DIR 87/372 Pan-European mobile telephones	25/12/88	I	I	I	I	I	I	I	I	I	I	I	I	
REC 87/598 European code of conduct relating to electronic payment														Implementation not required
DEC 88/524 Development of information services market	26/07/88													Implementation not required
DIR 89/552 Pursuit of television broadcasting activities	3/10/91	IR	IR	IR	I	IR	IR	IR	IR	IR	IR	IR	IR	B, D, F, IRL, I, L, NL, P, UK: non conformity
DIR 90/387 Implementation of open network provision	1/01/91	I	I	I	IR	I	I	I	IR	I	I	I	I	

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 91/263 Type approval of telecommunications terminal equipment	6/11/92													
REMOVAL OF TECHNICAL BARRIERS - Capital movements -														
Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 88/361 Liberalization of capital movements	1/07/90	I	I	I	I	I	I	I	I	I	I	I	I	E, EL, IRL, P: derogation for certain transactions until 31.12.92
REMOVAL OF TECHNICAL BARRIERS - Industrial cooperation - Company law														
Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
REG 2137/85 European Economic Interest Grouping	1/07/89	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 89/666 11th company law directive	1/01/92	IR	I	IR	IR	I	I	IR	IR	IR	IR	IR	IR	
DIR 89/667 12th company law directive	1/01/92	IR	I	I	IR	IR	I	IR	IR	IR	I	I	NI	UK: partial implementation

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 90/604 Annual and consolidated accounts: exemptions for small and medium-sized companies	1/01/93													
DIR 90/605 Annual and consolidated accounts: exemptions for small and medium-sized companies	1/01/93													
REMOVAL OF TECHNICAL BARRIERS - Industrial cooperation - Intellectual and Industrial property														
Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 87/54 Legal protection of micro circuits	7/11/87	I	I	I	I	I	I	I	I	I	I	I	I	
DIR 89/104 Trade marks	31/12/91	I				I	I							
DIR 91/250 Legal protection of computer programs	1/01/93													
888 BB Convention - Community patent (76/76/EEC)														Ratification necessary by 31/12/92

Annex IV

15.08.92

**MEASURES GIVING EFFECT
TO THE WHITE PAPER PROGRAMME**

LIST OF AMENDING OR IMPLEMENTING DIRECTIVES

N.B.

I	=	Implementing measures notified
NI	=	Not incorporated into national law
IR	=	Infringement proceedings under way

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
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Veterinary and plant health controls

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
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DIR 88/298 Framework measure: Dir 86/362/CS; Maximum levels for pesticide residues - fruit and vegetables (Dir CS)		I	I	I	I	I	I	I	I	I	I	I	I	Implem. date: 1/7/88 (captan, folpet); 1/1/89 full application
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DIR 89/365 Framework measure: Dir 86/355/CS; Extension of derogations provided for by the framework Directive (Dir CS)	31/12/89	I	SO	I	I	I	SO	I	SO	I	I	I	I	
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DIR 90/120 Framework measure: Dir 88/407/CS; Animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen (Dir CS)	1/04/90	IR	I	I	I	I	I	IR	I	IR	I	I	I	
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DIR 90/654 Framework measure: Dir 86/362/CS; Plant health seeds, plants, animal feedingstuffs, veterinary and zootechnical legislation (German unific.) (Dir CS)	13/12/90													
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DIR 90/675 Framework measures: Dir 89/662/CS, Dir 90/425/CS; Organization of veterinary checks on products entering the Community from third countries (Dir CS)	31/12/91	IR												
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DIR 91/496 Framework measures: Dir 89/662/CS, Dir 90/425/CS, Dir 90/426/CS, Dir 90/539/CS; Veterinary checks on animals from third countries (Dir CS)		IR	IR	IR	IR	IR	IR	IR	IR	IR	IR	IR	IR	Implem. date: Art. 6(3), 13, 18, 21: 1/1/91; 1/7/91 full application
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DIR 91/681 Framework measure: Dir 90/44/CS; Marketing of compound feedingstuffs (Dir CS)	22/01/92	I	I	IR	IR	IR	I	IR	IR	IR	I	IR	IR	
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Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
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DIR 91/684 Framework measure: Dir 89/437/CS; Production and marketing of egg products (health problems) (Dir CS)	31/12/91	IR	IR	IR	IR	IR	IR	IR	IR	IR	IR	IR	IR	
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DIR 92/67 Framework measure: Dir 89/662/CS; Veterinary checks in intra-Community trade (Dir CS)	1/07/92													
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New approach to technical harmonization and standards

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
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DIR 90/488 Framework measure: Dir 87/404/CS; Simple pressure vessels (amendment) (Dir CS)	1/07/91	I	IR	I	I	I	I	I	I	I	IR	IR	I	
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DIR 91/263 Framework measure: Dir 89/336/CS; Telecommunications terminal equipment (incl. conformity) (Dir CS)	6/11/92													
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DIR 92/31 Framework measure: Dir 89/336/CS; Electromagnetic compatibility (amendment) (Dir CS)	28/07/92	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	
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Motor vehicles

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
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Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 91/441 Framework measures: Dir 88/76/CS, Dir 89/458/CS; Measures to be taken against air pollution by gases from the engines of motor vehicles (Dir CS)	1/01/92	IR	I	I	IR	IR	I			IR	IR	IR		
DIR 91/542 Framework measure: Dir 88/77/CS; Measures to be taken against the emission of gaseous pollutants from diesel engines (Dir CS)	1/01/92	IR	I	I	IR	IR	IR		IR	IR	IR	IR		
Tractors and agricultural machines														
Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 89/681 Framework measure: Dir 87/402/CS; Rollover protection structured mounted in front of the driver's seat on wheeled agric. or forestry tractors (Dir CS)	3/01/91													
Foodstuffs														
Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 90/128 Framework measure: Dir 89/109/CS; Plastic materials and articles intended to come into contact with foodstuffs (Dir COM)	31/12/90	IR	I	IR	I	I	IR	I	IR	I	I	I	IR	
DIR 91/71 Framework measure: Dir 88/388/CS; Labelling rules applicable to flavourings (Dir COM)		NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	Implem. date: 30/06/92 free movement clause, 1/1/94 full application

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
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Pharmaceuticals

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
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DIR 91/412
1/01/92
Framework measure: Dir 90/676/CS; Principles of good manufacturing practice for veterinary medicinal products (Dir COM)

DIR 91/507
1/01/92
Framework measures: Dir 89/342/CS, Dir 89/343/CS, Dir 89/381/CS; Standards and protocols for the testing of proprietary medicinal products (Dir COM)

Chemical products

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
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DIR 89/178
31/12/90
Framework measure: Dir 88/379/CS; Adaptation to technical progress (dangerous preparations) (Dir COM)

DIR 90/35
31/12/90
Framework measure: Dir 88/379/CS; Definition of certain categories of preparations (Dir COM)

DIR 90/492
1/06/91
Framework measure: Dir 88/379/CS; Adaptation to technical progress (classification, packaging and labelling of dangerous preparations) (Dir COM)

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 91/155 Framework measure: Dir 88/379/CS; Detailed arrangements for the system of specific information relating to dangerous preparations (Dir COM)	8/06/91	IR	IR	IR	I	IR	IR	IR	I	IR	I	IR	IR	
Other items														
Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 89/514 Framework measure: Dir 86/662/CS; Adaptation to technical progress (Dir COM)	1/01/90	I	I	I	I	I	I	I	IR	IR	I	I	IR	
DIR 90/18 Framework measure: Dir 88/320/CS; Inspection and verification of good laboratory practice (Dir COM)	1/07/90	I	NI	I	IR	I	NI	I	IR	I	NI	NI	I	
Free movement of workers and members of the professions														
Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
DIR 85/584 Framework measure: Dir 85/433/CS; Mutual recognition of diplomas, certificates and other qualifications in pharmacy (accession of E and P) (Dir CS)	1/10/97	IR	I	I	I	I	I	I	I	I	I	I	I	
DIR 90/658 Framework measure: Dir 85/433/CS; Mutual recognition of diplomas in pharmacy - German unification (Dir CS)	1/07/91	IR	IR	I	I	I	IR	IR	I	I	IR	IR	IR	

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
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Banks

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
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DIR 91/31
Framework measure: Dir 89/647/CS; Technical definition of 'multilateral development banks' (Dir COM)

31/03/91
NI I IR IR IR I I I IR I I NI

DIR 91/633
Framework measure: Dir 89/299/CS; Own funds of credit institutions (Dir CS)

31/12/92
I I I I I I I I I I I I

VAT

Measure	Impl. date	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK	Remarks
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DIR 90/237
Framework measure: Dir 85/362/CS; Exemption from VAT on the temporary importation of goods other than means of transport (Dir COM)

1/07/90
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**COURT OF JUSTICE DECISIONS NOT IMPLEMENTED
BY MEMBER STATES - PROCEDURES INITIATED
UNDER ARTICLE 171 OF THE TREATY**

MEMBER STATE	LEGAL BASIS	SUBJECT OF INFRINGEMENT PROCEDURE
BELGIQUE	Dir. 82/891, 78/855 Case 46/88	Divisions and mergers of public limited liability companies
	Art. 7, 48, 128 of EEC Treaty - Reg. 1612/68 Case 42/87	Discrimination in public financing ; non-university higher education
	Dir. 82/714 Case 19/91	Technical specifications for inland waterway vessels
	Treaty, Art. 30 Case C-74/92	Limits to the use of food gelatin in certain food products
DEUTSCHLAND	Art. 30 of EEC Treaty Case 76/86	Milk and dairy substitutes ¹
	Art. 30 of EEC Treaty Case 178/84	"Beer purity law" ¹
	Art. 30 of EEC Treaty Case 274/87	Difficulties in importing pâté ¹
	Dir. 69/169 Case 325/82	Butter ships - tax aspects
ELLAS	Art. 52, 59 of EEC Treaty Case 328/90	- Nationality requirements for access to certain professions : engineers, agronomists - Nationality requirements for the establishment of language schools
	Art. 30 of EEC Treaty Case 176/84	Rules requiring beer to be malt-based ¹

MEMBER STATE	LEGAL BASIS	SUBJECT OF INFRINGEMENT PROCEDURE
ITALIA	Reg. 1035/72, 2638/69, 2150/80 - Case 69/86	Quality standards for fruits and vegetables
	Dir. 83/183 Case 124/86	Tax allowances on final import of personal property
	Dir. 83/181 Case 125/86	Exemption from VAT on final import of certain goods
	Dir. 82/470 Case 310/86	Transport agents
	Dir. 77/388 Case 203/84	Exemption from VAT in the case of earthquakes

STATE OF RATIFICATION OF THE INTERGOVERNMENTAL CONVENTIONS

key : S = signed ; R = ratified ; N = neither signed nor ratified ; X = not applicable

	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK
1. Jurisdiction and enforcement of judgements in civil and commercial matters [72/454/EEC] (27 September 1968) - Jurisdiction of the Court of Justice [71/603/EEC] (Protocol of 3 June 1971) - Accession of Denmark, Ireland and United Kingdom [78/884/EEC] (9 October 1978) - Accession of Greece [82/972/EEC] (25 October 1982) - Accession of Spain and Portugal [89/535/EEC]	R	X	R	X	X	R	X	R	R	R	X	X
	R	R	R	X	X	R	R	R	R	R	X	R
	R	R	R	X	X	R	R	R	R	R	X	R
	R	R	R	R	X	R	R	R	R	R	X	N
	S	S	S	S	S	R	S	R	R	R	R	R
2. Law applicable to contractual obligations [80/934/EEC] (19 June 1980) - Accession of Greece [84/297/EEC] (10 April 1984) - Jurisdiction of the Court of Justice (1st Protocol of 19 June 1980) [89/128/EEC] - Jurisdiction of the Court of Justice (2nd Protocol of 19 June 1980) [89/129/EEC] - Accession of Spain and Portugal (18.05.92)	R	R	R	X	X	R	R	R	R	R	X	R
	R	R	R	R	X	R	R	R	R	R	X	R
	S	S	S	R	X	S	S	S	S	R	X	R
	S	S	S	R	X	S	R	S	S	R	X	R
	S	S	S	S	S	S	S	S	S	S	S	S
3. Protection of individuals with regard to automatic processing of personal data [81/679/EEC] (28 January 1981)	S	R	R	S	R	R	R	S	R	S	S	R
4. Recovery of maintenance claims	S	S	S	S	N	N	S	S	S	R	S	S
5. Abolition of legalization of documents	S	R	S	N	N	S	N	R	S	R	S	N

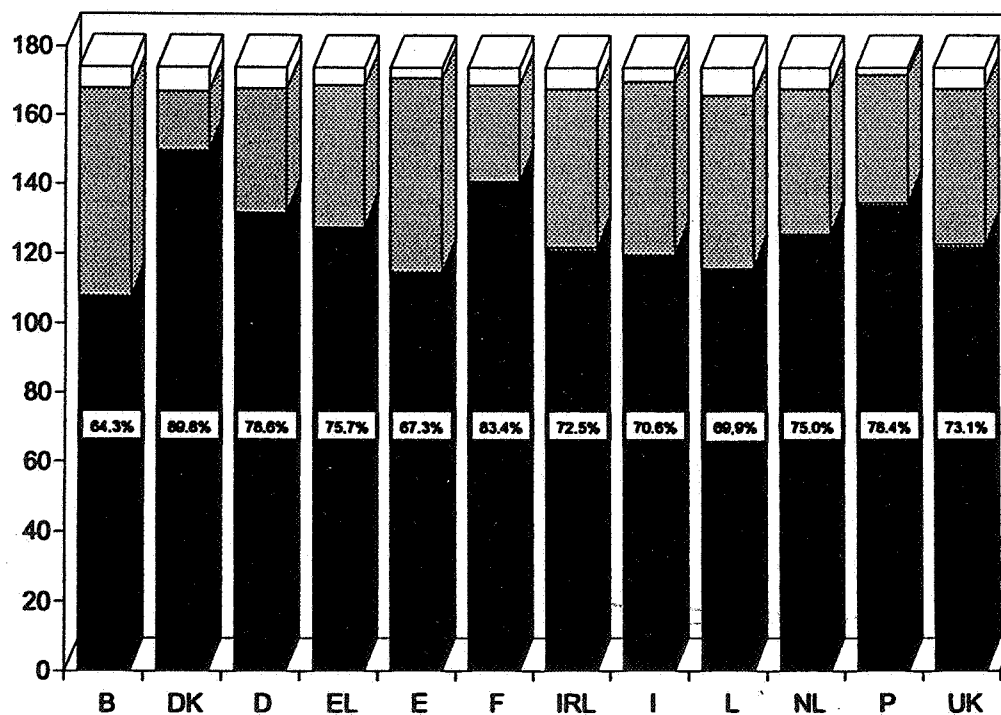
	B	DK	D	EL	E	F	IRL	I	L	NL	P	UK
6. Right of Asylum (June 1990)	S	R	S	R	S	S	S	S	S	S	S	R
7. Community patent [76/76/EEC] (December 1989)	S	S	S	S	S	R	S	S	S	S	S	R
8. Arbitration procedure concerning the elimination of double taxation [90/436/EEC] (23 July 1990)	S	S	S	S	R	R	S	S	S	S	S	S
9. Transmission of authority for prosecution	S	S	N	S	S	S	N	S	S	N	S	N
10. Transfer of sentenced persons	R	R	N	R	S	S	S	R	S	S	S	S
11. "Ne bis in idem"	S	R	N	N	N	R	N	R	S	S	S	S
12. Transmission of requests for extradition	S	S	N	S	R	S	N	S	S	S	S	S

STATE OF IMPLEMENTATION OF THE WHITE PAPER MEASURES

Breakdown of Situation by Member State (Situation at 15/8/92)

	Measures notified	Derogations	Measures not notified	Not applicable
B	108	0	60	6
DK	150	0	17	7
D	132	0	36	6
EL	128	0	41	5
E	115	0	56	3
F	141	0	28	5
IRL	121	1	46	6
I	120	0	50	4
L	116	0	50	8
NL	126	0	42	6
P	134	1	37	2
UK	122	1	45	6

216 measures in force / 174 requiring national implementing measures



Measures notified
 Derogations
 Measures not notified
 Not applicable

